

VOLUME I OF III, Pages AppxI-11222

Appeal No. 2017-2145

United States Court of Appeals
for the
Federal Circuit

CISCO SYSTEMS, INC.,

Plaintiff-Appellant,

— v. —

ARISTA NETWORKS, INC.,

Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA IN
CASE NO. 5:14-CV-05344-BLF, JUDGE BETH LABSON FREEMAN

NON-CONFIDENTIAL JOINT APPENDIX

ROBERT A. VAN NEST
BRIAN L. FERRALL
DAVID J. SILBERT
STEVEN A. HIRSCH
MICHAEL KWUN
RYAN WONG
ELIZABETH K. MCCLOSKEY
KEKER, VAN NEST & PETERS LLP
633 Battery Street
San Francisco, CA 94111
(415) 391-5400

Attorneys for Defendant-Appellee

KATHLEEN M. SULLIVAN
TODD ANTEN
OWEN ROBERTS
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, New York 10010
(212) 849-7000

— and —

SEAN S. PAK
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
(415) 875-6600

Attorneys for Plaintiff-Appellant

February 12, 2018

TABLE OF CONTENTS FOR JOINT APPENDIX

SEALING/PROTECTIVE ORDERS

DKT.	DESCRIPTION	PAGE(S)
53	Stipulated Protective Order (June 26, 2015)	AppxI-XXIX
772	Order Granting Motion to Seal (Feb. 24, 2017)	AppxXXX-XXXII

JUDGMENT AND ORDER

DKT.	DESCRIPTION	PAGE(S)
750	Judgment (Dec. 19, 2017)	Appx1
787	Order Denying Motions For Judgment As A Matter Of Law And Motion For A New Trial (May 10, 2017)	Appx2-20

DOCKET OF PROCEEDINGS BELOW

DESCRIPTION	PAGE(S)
Civil Docket for Case No. 5:14-cv-05344-BLF (N.D. Cal.)	Appx21-92

DISTRICT COURT FILINGS

DKT.	DESCRIPTION	PAGE(S)
740	Final Order Re Analytic Dissection And Scope Of Protection	Appx1328-1347
732	Trial Brief In Support of Cisco's Rule 50(a) Motion For Judgment As A Matter Of Law	Appx1359; Appx1360-1361; Appx1364-1365
737	Final Jury Instructions	Appx1390-1391; Appx1394; Appx1396-1398; Appx1406
749	Verdict	Appx1427-1431
760	Arista's Motion for Judgment as a Matter of Law and Conditional Motion for New Trial (Fed. R. Civ. P. 50(b) and 59)	Appx1432-1434; Appx1449-1458; Appx1464
761-1	Exhibit I to Declaration Of Sara E. Jenkins In Support Of Cisco's Rule 50(b) Motion For Judgment As A Matter Of Law	Appx1857-2067
786	Transcript of Proceedings: Apr. 27, 2017	Appx4341-4342
790	Notice of Appeal	Appx4403-4405

TRIAL TRANSCRIPTS

TR. VOL.	DESCRIPTION	PAGE(S)
2	Trial Transcript: Nov. 21, 2016	Appx10111-10112
3	Trial Transcript: Nov. 28, 2016	Appx10398; Appx10412; Appx10416; Appx10448-10449; Appx10455-10456; Appx10460; Appx10463-10464; Appx10466- 10468; Appx10471; Appx10473-10475; Appx10481-10484; Appx10486; Appx10494-10495; Appx10499; Appx10501-10527
4	Trial Transcript: Nov. 29, 2016	Appx10546; Appx10566-10567; Appx10572-10573; Appx10608- 10610; Appx10617-10620; Appx10622; Appx10636; Appx10650- 10651; Appx10654-10655; Appx10662-10663; Appx10667-10670; Appx10673-10679; Appx10682; Appx10695; Appx10709-10710; Appx10714; Appx10738-10740; Appx10755-10756; Appx10775- 10776; Appx10781-10782; Appx10800-10802; Appx10808-10815
5	Trial Transcript: Nov. 30, 2016	Appx10843; Appx10865-10867; Appx10874-10875; Appx10878; Appx10896-10897; Appx10900-10901; Appx10905; Appx10926- 10927; Appx10932-10935; Appx10944-10945; Appx10947; Appx10952-10953 Appx10990-10995; Appx10998-11000; Appx11016-11018; Appx11022; Appx11025; Appx11030; Appx11035; Appx11045; Appx11047-11048; Appx11055; Appx11061-11062; Appx11079; Appx11086; Appx11091-11094; Appx11098-11102
6	Trial Transcript: Dec. 1, 2016	Appx11129; Appx11164-11169; Appx11177-11178; Appx11183- 11184; Appx11189-11192 (under seal); Appx11197; Appx11201- 11202; Appx11214; Appx11219-11224; Appx11226; Appx11233- 11240; Appx11243-11244; Appx11249; Appx11265-11266; Appx11291-11294 Appx11302
7	Trial Transcript: Dec. 2, 2016	Appx11347-11348; Appx11351; Appx11354-11357; Appx11360- 11368
8	Trial Transcript: Dec. 5, 2016	Appx11628-11629; Appx11717-11718; Appx11726-11734; Appx11744-11748; Appx11783-11800; Appx11803; Appx11807; Appx11809-11810; Appx11828-11833; Appx11835-11836; Appx11843-11844; Appx11860-11864; Appx11868-11870; Appx11872
9	Trial Transcript: Dec. 6, 2016	Appx11899-11901; Appx11915; Appx11926-11933; Appx11936- 11938; Appx11940-11942; Appx11945; Appx11950-11951; Appx11963; Appx11967; Appx11969-11971; Appx12037-12044; Appx12060-12064; Appx12073-12074; Appx12085; Appx12088- 12091; Appx12093-12114; Appx12121-12122; Appx12124; Appx12126; Appx12128-12131 (under seal); Appx12134-12146

TR. VOL.	DESCRIPTION	PAGE(S)
10	Trial Transcript: Dec. 7, 2016	Appx12189-12190; Appx12204-12205; Appx12207-12208; Appx12210-12212; Appx12214-12215; Appx12218-12222; Appx12229-12230; Appx12256-12257; Appx12261-12262; Appx12265; Appx12316; Appx12324; Appx12326
12	Trial Transcript: Dec. 9, 2016	Appx12418-12419; Appx12494-12498; Appx12500; Appx12504-12505; Appx12528; Appx12557-12559; Appx12636-12655
13	Trial Transcript: Dec. 12, 2016	Appx12661-12693; Appx12696; Appx12705; Appx12714; Appx12716-12717; Appx12724-12725; Appx12732; Appx12760 (under seal); Appx12808-12820
14	Trial Transcript: Dec. 14, 2016	Appx12836

ADMITTED TRIAL EXHIBITS

EXH.	DESCRIPTION	PAGE(S)
1	Arista EOS User Manual - Software Release 4.4.0, March 31, 2010	Appx20000
2	Arista EOS User Manual - Software Release 4.0.1, April 8, 2009	Appx20368
3	Arista User Manual, Arista EOS version 4.6.2, March 28 2011	Appx20597
4	Arista User Manual, Arista EOS version 4.10.0, July 19, 2012	Appx20983
5	Arista User Manual, Arista EOS version 4.11.1 - Rev. 2, January 22, 2013	Appx22127
6	Arista User Manual, Arista EOS version 4.11.2.1, March 1, 2013	Appx23583
7	Arista User Manual, Arista EOS version 4.12.4, September 16, 2013	Appx25115
8	Arista User Manual, Arista EOS version 4.13.7M, June 17, 2014	Appx26975
9	Arista User Manual, Arista EOS version 4.14.3F - Rev. 2, October 2, 2014	Appx29143
10	Arista User Manual, Arista EOS version 4.14.5F - Rev. 2, December 22, 2014	Appx31375
11	Arista User Manual, Arista EOS version 4.14.6M, January 19, 2015	Appx33623
12	Arista User Manual, Arista EOS version 4.15.0F - Rev. 2, April 27, 2015	Appx35865
13	Arista User Manual, Arista EOS version 4.15.0F - Rev. 2, April 18, 2015	Appx38143
14	Arista User Manual, Arista EOS version 4.13.6F, April 14, 2014	Appx40427

EXH.	DESCRIPTION	PAGE(S)
15	Arista User Manual, Arista EOS version 4.15.4F, February 5, 2016	Appx42567
197	Email from Kenneth Duda to Anshul Sadana, July 21, 2009, Re: Opinions wanted on ACL cli functionality	Appx45468-45470
203A	Transcript of Packet Pushers Podcast, Show 45, May 24, 2011	Appx45473
295	EOS CLI Conventions and Style Guidelines	Appx45604-45610
536	Email from Hua Zhong to David Sollender, June 14, 2014, Re: Some Lag issues (Daytona release)	Appx46038
566	<i>Fortune</i> : "An ex-Cisco exec reflects," by Adam Lashinsky	Appx46211
851	Police Parser Manifesto V 1.7.1 by Phillip Remaker (Native.txt file)	Appx46325-46329
4667	Email from Hua Zhong to Kenneth Duda, May 8, 2012, Re: NX-OS Presentation	Appx50693
4672	(UNDER SEAL) September 30, 2003 Agreement between Huawei Technologies Co., Ltd., Futurewei Technologies, Inc. and Huawei America, Inc., Cisco Systems, Inc. and Cisco Technology, Inc. and 3Com Corporation	Appx50785-50786
4745	Network World Reprint: How Arista Networks got out in front of the SDN Craze, dated February 22, 2013	Appx50907
4791	A compilation of Cisco Copyright Registrations - Summary Exhibit	Appx50945-51058
4794	Examples of where Cisco's copyrighted Modes & Prompts appear in Arista documentation - Summary Exhibit	Appx51059-51067
4796	EOS versions where Cisco's copyrighted command expressions appear - Summary Exhibit	Appx51105-51136
4799	Cisco's Summary Exhibit - Help Description Analysis	Appx51137-51143
4800	Arista copying of Cisco's copyrighted outputs - Summary Exhibit	Appx51144-51172
4803	Index - Cisco's Copyright Applications, Code, and Documentation Provided to the Library of Congress	Appx51173-51252
4821	Exhibit 1 (Cisco CLI Commands List) to Cisco's Complaint for Copyright and Patent Infringement, December 5, 2014	Appx51349-51359
5038	RFC 1131 - The OSPF Specification	Appx51803; Appx51808
5040	RFC 1883 - Internet Protocol, Version 6 (IPv6) Specification	Appx51910-51946
5134	February 8, 2006 Ram Kavasseri, Garry Horoupian - Draft v.16	Appx52862

EXH.	DESCRIPTION	PAGE(S)
5157	Email from Phillip Remaker to Manas Moothedath, November 18, 2014, Re: Its Goodbye...	Appx52990-52991
5299	Cisco Nexus 7000 Series Simplified End to End Management	Appx53312
5345	Presentation Huawei Enterprise Briefing for Cisco Partners	Appx53497
5416	<i>Network World</i> : Arista, Blade win top spot in data center switch test, January 18, 2010	Appx53582-53604
5423	Customer Brief: Face to Face Meeting, February 25, 2011	Appx53605-53610
5441	Nortel Blade Server Switching, 2005	Appx53611-53633
5451	IP Communications for the Small or Autonomous Branch Office	Appx53645
5457	IOS Software Release 12.2S, dated April 30, 2003	Appx53653; Appx53749
5464	The Transformative Operating System Called IOS	Appx53801-53802
5495	March 11, 2011 Chambers Phone Briefing Memo	Appx53831-53834
5630	Amended Appendix H.BR - Brocade Usage of Disputed CLI Commands	Appx53866-53872
5635	Amended Appendix H.EX - Extreme Networks Usage of Disputed CLI Commands	Appx53884-53887
5637	Amended Appendix H.HP - HP Usage of Disputed CLI Commands	Appx53888-53890
6229	EMS Presentation attached to September 4, 2008 email from Mark Foss to Anshul Sadana	Appx54234-54238
6380	HP Networking and Cisco CLI Reference Guide Third Edition	Appx54388-54390
6736	Email from Kumar Reddy to Burjiz Pithawala and others, February 17, 2014, Questions Re: onePK readout and strategy	Appx57116-57119
6743	Email from Nicola Kabar to Ashoka Kallappa and others, June 5, 2014, Re: add skip + pwd hidden option for poap	Appx57120-57126
6824	RFC 1195 - Use of OSI IS-IS for Routing in TCP/IP and Dual Environments	Appx57376-57378
6870	RFC 2117 - Protocol Independent Multicast-Sparse Mode (PIM-SM): Protocol Specification	Appx57461-57463
6877	RFC 2236 - Internet Group Management Protocol, Version 2	Appx57527; Appx57544-57545
6910	RFC 3618 - Multicast Source Discovery Protocol (MSDP)	Appx57578-57581
7408	Arista Cloud Networks White Paper	Appx62629
7543	April 2, 2009 Toolapalooza presentation by Robert Wright	Appx62649
7748	Email from Lorenz Redlefsen to Hugh Holbrook, April 23, 2008, Re: BNT launches Rackswitches	Appx62707

EXH.	DESCRIPTION	PAGE(S)
7956	Email from Joe Chapman to Richard Chycoski and others, August 24, 2013, Re: Tech executives facing up to hard realities of the cloud	Appx62752-62762
7996	Cisco Live 2014 Tomorrow Starts Here Presentation	Appx62795
8110	Data Sheet - Cisco Unified Communications Manager Express 10.5	Appx62888-62889
8237	Cisco IOS XR Supported Platforms and Features, June 6, 2006	Appx62905
9037	Summary re: Cisco Accusations vs. Arista Full Command Syntax	Appx63144-63399
9041	Summary # 2 re: Command Usage by Other Vendors	Appx63400-63409
9069	Email from Isabelle Bertin-Bailly to all@aristanetwork.com, November 10, 2010, Arista's Code of Business Conduct with attachment	Appx63447-63465
9073	Designated Testimony of Greg Satz	Appx63472; Appx63474-63475
9079	Designated Testimony of Douglas Gourlay	Appx63483-63490
9081	Designated Testimony of Gavin Cato	Appx63494-63495; Appx63498-63502

CONFIDENTIAL MATERIAL OMITTED

Portions of pages Appx11189-11192, Appx12130; Appx12760; and Appx50785-50786 have been redacted from this non-confidential version of the Joint Appendix. Those pages contain references to or excerpts of a confidential agreement and are subject to a protective order and post-trial sealing order.

Kathleen Sullivan (SBN 242261)
 kathleensullivan@quinnemanuel.com
 QUINN EMANUEL URQUHART &
 SULLIVAN LLP
 51 Madison Avenue, 22nd Floor
 New York, NY 10010
 Telephone: (212) 849-7000
 Facsimile: (212) 849-7100

Sean S. Pak (SBN 219032)
 seanpak@quinnemanuel.com
 John M. Neukom (SBN 275887)
 johnneukom@quinnemanuel.com
 QUINN EMANUEL URQUHART &
 SULLIVAN LLP
 50 California Street, 22nd Floor
 San Francisco, CA 94111
 Telephone: (415) 875-6600
 Facsimile: (415) 875-6700

Steven Cherny (*admitted pro hac vice*)
 steven.cherny@kirkland.com
 KIRKLAND & ELLIS LLP
 601 Lexington Avenue
 New York, New York 10022
 Telephone: (212) 446-4800
 Facsimile: (212) 446-4900

[Additional counsel listed on signature page]

Attorneys for Plaintiff Cisco Systems, Inc.

KEKER & VAN NEST LLP
 ROBERT A. VAN NEST - # 84065
 rvannest@kvn.com
 BRIAN L. FERRALL - # 160847
 bferrall@kvn.com
 DAVID J. SILBERT - # 173128
 dsilbert@kvn.com
 MICHAEL S. KWUN - # 198945
 mkwun@kvn.com
 633 Battery Street
 San Francisco, CA 94111-1809
 Telephone: 415 391 5400
 Facsimile: 415 397 7188

Attorneys for Defendant ARISTA NETWORKS, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 5:14-CV-05344-BLF

~~[PROPOSED]~~ STIPULATED
 PROTECTIVE ORDER

Date Filed: December 5, 2014

Trial Date: August 1, 2016.

I. PURPOSES AND LIMITATIONS

Plaintiff Cisco Systems, Inc. and Arista Networks, Inc. (collectively referred to herein as the “Parties”) anticipate that disclosure and discovery activity in this action are likely to involve production of confidential, proprietary, or private information for which special protection from public disclosure and from use for any purpose other than prosecuting this litigation may be warranted. Accordingly, the Parties hereby stipulate to and petition the court to enter the following Protective Order (“Order”). The Parties acknowledge that this Order does not confer blanket protections on all disclosures or responses to discovery and that the protection it affords from public disclosure and use extends only to the limited information or items that are entitled to confidential treatment under the applicable legal principles. The Parties further acknowledge, as set forth in Section 14.4 below, that this Order does not entitle them to file confidential information under seal; Civil Local Rule 79-5 sets forth the procedures that must be followed and the standards that will be applied when a Party seeks permission from the court to file material under seal.

II. DEFINITIONS

2.1 Challenging Party: a Party or Non-Party that challenges the designation of information or items under this Order.

2.2 “CONFIDENTIAL” Information or Items: information (regardless of how it is generated, stored, or maintained) or tangible things that contain trade secrets, proprietary research, development, and/or technical information that is not publicly available; sensitive financial, business, or commercial information that is not publicly available; and other information required by law or agreement to be kept confidential.

2.3 Counsel (without qualifier): Outside Counsel of Record and House Counsel (as well as their support staff).

2.4 Designating Party: a Party or Non-Party that designates information or items that it produces in disclosures or in responses to discovery as “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY,” or “HIGHLY CONFIDENTIAL – SOURCE CODE.”

1 2.5 Disclosure or Discovery Material: all items or information, regardless of the
2 medium or manner in which it is generated, stored, or maintained (including, among other things,
3 testimony, transcripts, and tangible things), that are produced or generated in disclosures or
4 responses to discovery in this matter.

5 2.6 Expert: a person with specialized knowledge or experience in a matter pertinent to
6 the litigation who (1) has been retained by a Party or its counsel to serve as an expert witness or
7 as a consultant in this action, (2) is not a past or current employee of a Party or of a Party's
8 competitor, and (3) at the time of retention, is not anticipated to become an employee of a Party
9 or of a Party's competitor.

10 2.7 "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" Information or
11 Items: extremely sensitive "Confidential Information or Items" that is highly proprietary or highly
12 sensitive such that disclosure could harm the competitive interests of the Producing Party or a
13 Non-Party that provided the information to the Producing Party on a confidential basis.

14 2.8 "HIGHLY CONFIDENTIAL – SOURCE CODE" Information or Items:
15 extremely sensitive "Confidential Information or Items" containing Source Code.

16 2.9 House Counsel: attorneys who are employees of a party to this action. House
17 Counsel does not include Outside Counsel of Record or any other outside counsel.

18 2.10 Non-Party: any natural person, partnership, corporation, association, or other legal
19 entity not named as a Party to this action.

20 2.11 Outside Counsel of Record: attorneys who are not employees of a party to this
21 action but are retained to represent or advise a party to this action and have appeared in this action
22 on behalf of that party or are affiliated with a law firm which has appeared on behalf of that party.

23 2.12 Party: any party to this action, including all of its officers, directors, employees,
24 consultants, retained experts, and Outside Counsel of Record (and their support staffs).

25 2.13 Producing Party: a Party or Non-Party that produces Disclosure or Discovery
26 Material in this action.

27 2.14 Professional Vendors: persons or entities that provide litigation support services
28

1 (e.g., photocopying, videotaping, translating, preparing exhibits or demonstrations, and
2 organizing, storing, or retrieving data in any form or medium) and their employees and
3 subcontractors.

4 2.15 Protected Material: any Disclosure or Discovery Material that is designated as
5 “CONFIDENTIAL,” “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY,” or
6 “HIGHLY CONFIDENTIAL – SOURCE CODE.”

7 2.16 Receiving Party: a Party that receives Disclosure or Discovery Material from a
8 Producing Party.

9 2.17 Source Code: human-readable programming language text that defines software,
10 firmware, or electronic hardware descriptions as well as any and all programmer notes,
11 annotations, and other comments of any type related thereto and accompanying the code. Source
12 Code files include without limitation files containing code in “C,” “Objective C,” “C-1+,”
13 “Python,” assembler, VHDL, and Verilog programming languages. Source Code files further
14 include without limitation files, make files, link files, intermediate output files, executable files,
15 header files, resource files, library files, module definition files, map files, object files, linker
16 files, browse info files, debug files, and other human-readable text files used in the generation
17 and/or building of software and/or hardware. Any Producing Party may designate documents as
18 “HIGHLY CONFIDENTIAL – SOURCE CODE” upon making a good faith determination that
19 the items qualify as Source Code.

20 **III. SCOPE**

21 This Order applies not only to Protected Material furnished by a Producing Party, but also
22 to (1) copies, excerpts, abstracts, analyses, summaries, descriptions, or other forms of recorded
23 information containing, reflecting, compiling, or disclosing Protected Material; and (2) any
24 testimony, conversations, or presentations by Parties or their Counsel that might reveal Protected
25 Material. However, the protections conferred by this Stipulation and Order do not cover the
26 following information: (a) any information that is in the public domain at the time of disclosure to
27 a Receiving Party or becomes part of the public domain after its disclosure to a Receiving Party
28

1 as a result of publication not involving a violation of this Order, including becoming part of the
2 public record through trial or otherwise; and (b) any information known to the Receiving Party
3 prior to the disclosure or obtained by the Receiving Party after the disclosure from a source who
4 obtained the information lawfully and under no obligation of confidentiality to the Designating
5 Party. Any use of Protected Material at trial shall be governed by a separate agreement or order.

6 **IV. DURATION**

7 Even after final disposition of this litigation, the confidentiality obligations imposed by
8 this Order shall remain in effect until a Designating Party agrees otherwise in writing or a court
9 order otherwise directs. Final disposition shall be deemed to be the later of (1) dismissal of all
10 claims and defenses in this action, with or without prejudice; and (2) final judgment herein after
11 the completion and exhaustion of all appeals, rehearings, remands, trials, or reviews of this action,
12 including the time limits for filing any motions or applications for extension of time pursuant to
13 applicable law.

14 **V. DESIGNATING PROTECTED MATERIAL**

15 5.1 Exercise of Restraint and Care in Designating Material for Protection. Each Party
16 or Non-Party that designates information or items for protection under this Order must take care
17 to limit any such designation to specific material that qualifies under the appropriate standards. If
18 it comes to a Designating Party's attention that information or items that it designated for
19 protection do not qualify for protection at all or do not qualify for the level of protection initially
20 asserted, that Designating Party must promptly notify all other Parties that it is withdrawing the
21
22
23
24
25
26
27
28

1 mistaken designation.¹

2 5.2 Manner and Timing of Designations. Except as otherwise provided in this Order
3 (see, e.g., second paragraph of section 5.2(a) below), or as otherwise stipulated or ordered,
4 Disclosure or Discovery Material that qualifies for protection under this Order must be clearly so
5 designated before the material is disclosed or produced, provided, however, that the Producing
6 Party's failure to do so shall not constitute a waiver.

7 Designation in conformity with this Order requires:

8 (a) for information in documentary form (e.g., paper or electronic documents, but
9 excluding transcripts of depositions or other pretrial or trial proceedings), that the Producing
10 Party affix the legend "CONFIDENTIAL," "HIGHLY CONFIDENTIAL – ATTORNEYS'
11 EYES ONLY," or "HIGHLY CONFIDENTIAL – SOURCE CODE" to each page that contains
12 protected material. If only a portion or portions of the material on a page qualifies for protection,
13 the Producing Party also must clearly identify the protected portion(s) (e.g., by making
14 appropriate markings in the margins) and must specify, for each portion, the level of protection
15 being asserted.

16 A Party or Non-Party that makes original documents or materials available for inspection
17 need not designate them for protection until after the inspecting Party has indicated which
18 material it would like copied and produced. During the inspection and before the designation, all
19

20 _____
21 ¹ Notwithstanding the foregoing, to facilitate use of materials produced and/or generated in *In the*
22 *Matter of Certain Network Devices, etc.*, Investigation No. 337-TA-944 and *In the Matter of*
23 *Certain Network Devices, etc.*, Investigation No. 337-TA-945 ("ITC actions"), Protected Material
24 produced by a Party designated in the ITC actions as "CONFIDENTIAL BUSINESS
25 INFORMATION, SUBJECT TO PROTECTIVE ORDER" will be deemed to have been
26 produced in this case and designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES
27 ONLY." Protected Material produced by a Party designated in the ITC actions as
28 "CONFIDENTIAL SOURCE CODE SUBJECT TO PROTECTIVE ORDER" will be deemed to
have been produced in this case and designated "HIGHLY CONFIDENTIAL – SOURCE
CODE." Those materials are also subject to the Protective Orders entered into in the ITC actions.
If there is any conflict between those Protective Orders and this Order, the more restrictive
Protective Order shall govern. For the sake of clarity, the Parties will confirm, in writing under
separate cover, the specific materials produced in the ITC actions that will be deemed to have
been produced in this case; only those materials specifically identified will be deemed to have
been produced in this case.

1 of the material made available for inspection shall be deemed "HIGHLY CONFIDENTIAL –
2 ATTORNEYS' EYES ONLY." After the inspecting Party has identified the documents it wants
3 copied and produced, the Producing Party must determine which documents, or portions thereof,
4 qualify for protection under this Order. Then, before producing the specified documents, the
5 Producing Party must affix the appropriate legend ("CONFIDENTIAL," "HIGHLY
6 CONFIDENTIAL – ATTORNEYS' EYES ONLY," or "HIGHLY CONFIDENTIAL – SOURCE
7 CODE") to each page that contains Protected Material. If only a portion or portions of the
8 material on a page qualifies for protection, the Producing Party also must clearly identify the
9 protected portion(s) (*e.g.*, by making appropriate markings in the margins) and must specify, for
10 each portion, the level of protection being asserted.

11 (b) for deposition testimony, including transcripts, such testimony shall be deemed
12 "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" until the expiration of fifteen (15)
13 days after the deposition unless otherwise designated at the time of the deposition or during the
14 fifteen (15) day period. Pages or entire transcripts of testimony given at a deposition or hearing
15 may be designated as containing "CONFIDENTIAL," "HIGHLY CONFIDENTIAL –
16 ATTORNEYS' EYES ONLY," or "HIGHLY CONFIDENTIAL – SOURCE CODE" information
17 by an appropriate statement either at the time of the giving of such testimony or by written
18 notification within fifteen (15) days after the deposition. If the testimony is not otherwise
19 designated at the time of the deposition or during the fifteen (15) day period after the deposition,
20 the testimony will be deemed to be "CONFIDENTIAL."

21 Transcripts containing Protected Material shall have an obvious legend on the title page
22 that the transcript contains Protected Material, and the title page shall be followed by a list of all
23 pages (including line numbers as appropriate) that have been designated as Protected Material and
24 the level of protection being asserted by the Designating Party. The Designating Party shall
25 inform the court reporter of these requirements.

26 (c) for transcripts of pretrial and trial proceedings, Parties shall give the other parties
27 notice if they reasonably expect a hearing or other proceeding to include Protected Material so
28

1 that the other parties can ensure that only authorized individuals and individuals who have signed
2 the "Acknowledgment and Agreement to Be Bound" (Exhibit A) are present at those proceedings.
3 Procedures for requesting confidentiality designations of transcripts for pretrial and trial
4 proceedings shall be in accordance with paragraph 5.2(b) and redaction requests shall be made in
5 accordance with General Order No. 59 and any other applicable rules and procedures set forth by
6 the Court. If a Designating Party seeks redaction of portions of a hearing or trial transcript
7 disclosing its Protected Material, the Receiving Party agrees not to unreasonably withhold its
8 consent to such a request.

9 (d) for information contained in written discovery responses, the responses may be
10 designated as containing "CONFIDENTIAL," "HIGHLY CONFIDENTIAL – ATTORNEYS'
11 EYES ONLY," or "HIGHLY CONFIDENTIAL – SOURCE CODE" information by means of a
12 statement at the conclusion of each response that contains such information specifying the level
13 of designation of the Protected Material and by placing a legend of the front page of such
14 discovery responses stating: "CONTAINS CONFIDENTIAL INFORMATION/[the highest level
15 of designation contained in the answers]."

16 (e) for information produced in some form other than documentary and for any other
17 tangible items, that the Producing Party affix in a prominent place on the exterior of the container
18 or containers in which the information or item is stored the legend "CONFIDENTIAL,"
19 "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY," or "HIGHLY CONFIDENTIAL
20 – SOURCE CODE." If only a portion or portions of the information or item warrant protection,
21 the Producing Party, to the extent practicable, shall identify the protected portion(s) and specify
22 the level of protection being asserted.

23 5.3 Inadvertent Failures to Designate. If timely corrected, an inadvertent failure to
24 designate qualified information or items does not, standing alone, waive the Designating Party's
25 right to secure protection under this Order for such material. Upon timely correction of a
26 designation, the Receiving Party must make reasonable efforts to assure that the material is
27 treated in accordance with the provisions of this Order.
28

VI. CHALLENGING CONFIDENTIALITY DESIGNATIONS

6.1 Timing of Challenges. Any Party or Non-Party may challenge a designation of confidentiality at any time. Unless a prompt challenge to a Designating Party's confidentiality designation is necessary to avoid foreseeable, substantial unfairness, unnecessary economic burdens, or a significant disruption or delay of the litigation, a Party does not waive its right to challenge a confidentiality designation by electing not to mount a challenge promptly after the original designation is disclosed.

6.2 Meet and Confer. The Challenging Party shall initiate the dispute resolution process by providing written notice of each designation it is challenging and describing the basis for each challenge. To avoid ambiguity as to whether a challenge has been made, the written notice must recite that the challenge to confidentiality is being made in accordance with this specific paragraph of this Order. The parties shall attempt to resolve each challenge in good faith and must begin the process by conferring directly (in voice to voice dialogue; other forms of communication are not sufficient) within fourteen (14) days of the date of service of notice. In conferring, the Challenging Party must explain the basis for its belief that the confidentiality designation was not proper and must give the Designating Party an opportunity to review the designated material, to reconsider the circumstances, and, if no change in designation is offered, to explain the basis for the chosen designation. A Challenging Party may proceed to the next stage of the challenge process only if it has engaged in this meet and confer process first or establishes that the Designating Party is unwilling to participate in the meet and confer process in a timely manner.

6.3 Judicial Intervention. If the Parties cannot resolve a challenge without court intervention, the Challenging Party shall file and serve a motion to challenge confidentiality under Civil Local Rule 7 (and in compliance with Civil Local Rule 79-5, if applicable) within twenty-one (21) days of the initial notice of challenge or within fourteen (14) days of the Parties agreeing that the meet and confer process will not resolve their dispute, whichever is earlier. Each such motion must be accompanied by a competent declaration affirming that the movant has complied with the meet and confer requirements imposed in the preceding paragraph. In addition,

1 the Designating Party may file a motion to retain confidentiality in response to a notice of
2 challenge. Any motion brought pursuant to this provision must be accompanied by a competent
3 declaration affirming that the movant has complied with the meet and confer requirements
4 imposed by the preceding paragraph.

5 The burden of persuasion in any such challenge proceeding shall be on the Challenging
6 Party. Frivolous challenges and those made for an improper purpose (*e.g.*, to harass or impose
7 unnecessary expenses and burdens on other parties) may expose the Challenging Party to
8 sanctions. Until the dispute as to the proper level of confidentiality has been resolved by
9 agreement or by an order issued by the Court, all parties shall continue to afford the material in
10 question the level of protection to which it is entitled under the Designating Party's designation
11 until the court rules on the challenge.

12 **VII. ACCESS TO AND USE OF PROTECTED MATERIAL**

13 7.1 Basic Principles. A Receiving Party may use Protected Material that is disclosed or
14 produced by another Party or by a Non-Party in connection with this case only for prosecuting,
15 defending, or attempting to settle this litigation. Such Protected Material may be disclosed only to
16 the categories of persons and under the conditions described in this Order. When the litigation has
17 been terminated, a Receiving Party must comply with the provisions of section 15 below (FINAL
18 DISPOSITION).

19 Protected Material must be stored and maintained by a Receiving Party at a location and
20 in a secure manner that ensures that access is limited to the persons authorized under this Order.
21 Protected Material, including all "CONFIDENTIAL" Information or Items, shall not be removed
22 from the United States.

23 7.2 Disclosure of "CONFIDENTIAL" Information or Items. Unless otherwise ordered
24 by the court or permitted in writing by the Designating Party, a Receiving Party may disclose any
25 information or item designated "CONFIDENTIAL" only to:

26 (a) the Receiving Party's Outside Counsel of Record in this action, as well as employees
27 of said Outside Counsel of Record to whom it is reasonably necessary to disclose the information
28

1 for this litigation and who have signed the “Acknowledgment and Agreement to Be Bound”
2 (Exhibit A);

3 (b) the officers, directors, and employees (including House Counsel) of the Receiving
4 Party to whom disclosure is reasonably necessary for this litigation and who have signed the
5 “Acknowledgment and Agreement to Be Bound” (Exhibit A);

6 (c) Experts (as defined in this Order) of the Receiving Party to whom disclosure is
7 reasonably necessary for this litigation and who have signed the “Acknowledgment and
8 Agreement to Be Bound” (Exhibit A);

9 (d) the court and its personnel;

10 (e) court reporters and their staff, professional jury or trial consultants, and Professional
11 Vendors to whom disclosure is reasonably necessary for this litigation;

12 (f) during their depositions, witnesses in the action to whom disclosure is reasonably
13 necessary and who agree to be bound by the terms of this Protective Order (pages of transcribed
14 deposition testimony or exhibits to depositions that reveal Protected Material must be separately
15 bound by the court reporter and may not be disclosed to anyone except as permitted under this
16 Order); and

17 (g) the author or recipient of a document containing the information or a custodian or
18 other person who otherwise possessed or knew the information.

19 7.3 Disclosure of “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” and
20 “HIGHLY CONFIDENTIAL – SOURCE CODE” Information or Items. Unless otherwise
21 ordered by the court or permitted in writing by the Designating Party, a Receiving Party may
22 disclose any information or item designated “HIGHLY CONFIDENTIAL – ATTORNEYS’
23 EYES ONLY” or “HIGHLY CONFIDENTIAL – SOURCE CODE” only to:

24 (a) the Receiving Party’s Outside Counsel of Record in this action, as well as employees
25 of said Outside Counsel of Record to whom it is reasonably necessary to disclose the information
26 for this litigation and who have signed the “Acknowledgment and Agreement to Be Bound”
27 (Exhibit A);
28

(b) Experts of the Receiving Party (1) to whom disclosure is reasonably necessary for this litigation, (2) who have signed the "Acknowledgment and Agreement to Be Bound" (Exhibit A), and (3) as to whom the procedures set forth in paragraph 7.4(a), below, have been followed;

(c) the court and its personnel;

(d) court reporters and their staff, professional jury or trial consultants, and Professional Vendors to whom disclosure is reasonably necessary for this litigation; and

(e) the author or recipient of a document containing the information or a custodian or other person who otherwise possessed or knew the information.

7.4 Procedures for Approving or Objecting to Disclosure of "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "HIGHLY CONFIDENTIAL – SOURCE CODE" Information or Items to Experts.

(a) Unless otherwise ordered by the court or agreed to in writing by the Designating Party, a Party that seeks to disclose to an Expert (as defined in this Order) any information or item that has been designated "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "HIGHLY CONFIDENTIAL – SOURCE CODE" pursuant to paragraph 7.3(B) first must make a written request to the Designating Party that (1) identifies the general categories of "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "HIGHLY CONFIDENTIAL – SOURCE CODE" information that the Receiving Party seeks permission to disclose to the Expert, (2) sets forth the full name of the Expert and the city and state of his or her primary residence, (3) attaches a copy of the Expert's current resume, (4) identifies the Expert's current employer(s), (5) identifies each person or entity from whom the Expert has received compensation or funding for work in his or her areas of expertise or to whom the Expert has provided professional services, including in connection with a litigation, at any time during the preceding five years,² and (6) identifies (by name and number of the case, filing date, and location of court) any litigation in

² If the Expert believes any of this information is subject to a confidentiality obligation to a third-party, then the Expert should provide whatever information the Expert believes can be disclosed without violating any confidentiality agreements, and the Party seeking to disclose to the Expert shall be available to meet and confer with the Designating Party regarding any such engagement.

1 connection with which the Expert has offered expert testimony, including through a declaration,
2 report, or testimony at a deposition or trial, during the preceding five years.

3 (b) A Party that makes a request and provides the information specified in the preceding
4 respective paragraphs may disclose the subject Protected Material to the identified Expert unless,
5 within fourteen (14) days of delivering the request, the Party receives a written objection from the
6 Designating Party. Any such objection must set forth in detail the grounds on which it is based.

7 (c) A Party that receives a timely written objection must meet and confer with the
8 Designating Party (through direct voice to voice dialogue) to try to resolve the matter by
9 agreement within seven (7) days of the written objection. If no agreement is reached, the Party
10 seeking to make the disclosure to the Expert may file a motion as provided in Civil Local Rule 7
11 (and in compliance with Civil Local Rule 79-5, if applicable) seeking permission from the court
12 to do so. Any such motion must describe the circumstances with specificity, set forth in detail the
13 reasons why disclosure to the Expert is reasonably necessary, assess the risk of harm that the
14 disclosure would entail, and suggest any additional means that could be used to reduce that risk.
15 In addition, any such motion must be accompanied by a competent declaration describing the
16 parties' efforts to resolve the matter by agreement (*i.e.*, the extent and the content of the meet and
17 confer discussions) and setting forth the reasons advanced by the Designating Party for its refusal
18 to approve the disclosure.

19 In any such proceeding, the Party opposing disclosure to the Expert shall bear the burden
20 of proving that the risk of harm that the disclosure would entail (under the safeguards proposed)
21 outweighs the Receiving Party's need to disclose the Protected Material to its Expert.

22 **VIII. PROSECUTION BAR**

23 Absent written consent from the Producing Party, any individual who receives "HIGHLY
24 CONFIDENTIAL – ATTORNEYS' EYES ONLY" technical information or "HIGHLY
25 CONFIDENTIAL – SOURCE CODE" information shall not (i) prepare or participate in the
26 prosecution of any patent application for the Receiving Party; (ii) prepare or participate in the
27 prosecution of any patent application in subject areas related to that of any patent in suit on behalf
28

1 of any entity (except on behalf of the Producing Party) whether or not a Party; or (iii) prosecute
2 any patent application related in any way to any patent in suit (including any continuation,
3 continuation in part, or divisional relationship, including any parent or child relationship, and
4 including any re-examination or interference), before any foreign or domestic agency, including
5 the United States Patent and Trademark Office (“the Patent Office”). For purposes of this
6 paragraph, “prosecution” includes directly or indirectly drafting, amending, advising, or
7 otherwise affecting the scope or maintenance of patent claims. To avoid any doubt, “prosecution”
8 as used in this paragraph does not include representing a party challenging a patent before a
9 domestic or foreign agency (including, but not limited to, a reissue protest, *ex parte*
10 reexamination, *inter partes* reexamination, *inter partes* review, post grant review, and
11 proceedings under the transitional program for covered business method patents). This
12 Prosecution Bar shall begin when “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY”
13 or “HIGHLY CONFIDENTIAL – SOURCE CODE” information is first received by the affected
14 individual and shall end two (2) years after final termination of this action.

15 **IX. SOURCE CODE**

16 9.1 To the extent production of Source Code becomes necessary in this case, a
17 Producing Party may designate Source Code as “HIGHLY CONFIDENTIAL – SOURCE
18 CODE” if it comprises or includes confidential, proprietary, or trade secret Source Code.

19 9.2 Protected Material designated as “HIGHLY CONFIDENTIAL – SOURCE
20 CODE” shall be subject to the protections of this section, as well as all of the protections afforded
21 to “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” information, including the
22 Prosecution Bar set forth in Paragraph 8, and may be disclosed only to the individuals to whom
23 “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY” information may be disclosed, as
24 set forth in Paragraphs 7.3 and 7.4.

25 9.3 Any Source Code produced in discovery shall be made available for inspection, in
26 a format allowing it to be reasonably reviewed and searched, during normal business hours,
27 which for purposes of this paragraph shall be 9:00 a.m. through 5:00 p.m. local time, Monday
28

1 through Friday (excluding holidays), at the reviewing location, or at other mutually agreeable
2 times, in the United States at an office of the Producing Party's counsel or other mutually agreed
3 upon location.

4 9.4 The Source Code shall be made available for inspection in a locked room, on no
5 more than two standalone, secured computers without Internet access or network access to other
6 computers and with all ports, software and other means that could be used to copy or transfer
7 such data blocked ("Standalone Computer(s)"), and the Receiving Party shall not copy, remove,
8 or otherwise transfer any portion of the source code onto any recordable media or recordable
9 device. The Standalone Computer(s) may be password protected. Use or possession of any
10 input/output device (*e.g.*, USB memory stick, cameras or any camera-enabled device, CDs,
11 floppy disk, portable hard drive, laptop, cell phone, etc.) is prohibited while accessing the
12 Standalone Computer(s). All persons entering the locked room containing the Source Code must
13 agree to submit to reasonable security measures to ensure they are not carrying any prohibited
14 items before they will be given access to the locked room. The Standalone Computer(s) shall be
15 maintained in the sole control and custody of counsel of record for the Supplier. No person other
16 than the Producing Party may alter, dismantle, disassemble or modify the Standalone
17 Computer(s) in any way, or attempt to circumvent any security feature of the computer.

18 9.5 The Standalone Computer(s) shall, at the Receiving Party's request, include
19 reasonable analysis tools appropriate for the type of Source Code. The Receiving Party shall be
20 responsible for providing the tools or licenses to the tools that it wishes to use to the Producing
21 Party so that the Producing Party may install such tools on the Standalone Computer(s).

22 9.6 The Producing Party may visually monitor the activities of the Receiving Party's
23 representatives during any Source Code review, but only to ensure that there is no unauthorized
24 recording, copying, or transmission of the Source Code.

25 9.7 The Producing Party may provide a log at the secure room, in which case the
26 Receiving Party is obligated to complete the log on a daily basis to identify the Receiving Party's
27 representatives entering the secure room, including signing a sign-in sheet prior to, and a sign-out
28

1 sheet subsequent to, accessing the Standalone Computer(s) including the name of the person
2 accessing, the date and time in and out.

3 9.8 All persons who will review source code on the Standalone Computer(s) on behalf
4 of a Receiving Party on a particular day shall be identified in writing to the Producing Party at
5 least twenty-four (24) hours prior to review. The Producing Party shall provide these individuals
6 with information explaining how to start, log on to, and operate the Standalone Computer(s) in
7 order to access the produced Source Code on the Standalone Computer(s).

8 9.9 Proper identification of all persons who will review Source Code shall be
9 provided prior to any access to the location of the Standalone Computer(s). Proper identification
10 is hereby defined as a photo identification card sanctioned by the government of a U.S. state, by
11 the District of Columbia, by the United States federal government, or by the nation state of the
12 authorized person's current citizenship. Access to the location of the Standalone Computer(s)
13 may be denied, at the discretion of the Producing Party, to any individual who fails to provide
14 proper identification. Any persons who will review Source Code who request access to the
15 location of the Standalone Computer(s) shall be identified in writing to the Producing Party at
16 least four (4) business days in advance of the first time that such person reviews such Source
17 Code and shall counter-sign a copy of the Acknowledgement and Agreement To Be Bound
18 (attached as Exhibit A) prior to commencing that person's first inspection.

19 9.10 No person shall copy, e-mail, transmit, upload, download, print, photograph or
20 otherwise duplicate any portion of the designated Source Code, unless explicitly permitted by this
21 Order. The Receiving Party may request paper copies of portions of Source Code that they in
22 good faith consider reasonably necessary to proving elements of their case, including for the
23 preparation of filings, pleadings, expert reports, other papers, or for deposition or any hearing, but
24 shall not request paper copies for the purpose of reviewing the Source Code. If the Producing
25 Party believes the Receiving Party has requested that an unreasonable amount of Source Code be
26 printed, the Producing Party may challenge the amount of source code requested in hard copy
27 form pursuant to the dispute resolution procedure and timeframes set forth in Paragraph 6. All
28

1 paper copies of Source Code excerpts shall be produced by the Producing Party within two (2)
2 business days of the request (unless additional time is needed due to the volume requested). The
3 Producing Party shall provide all such Source Code excerpts in paper form, including Bates
4 numbers and the label "HIGHLY CONFIDENTIAL – SOURCE CODE." At the Receiving
5 Party's request, up to two additional sets (or subsets) of printed Source Code excerpts may be
6 requested and provided by the Producing Party in a timely fashion.

7 9.11 The Receiving Party's Outside Counsel of Record and/or Expert shall be entitled
8 to take notes relating to the Source Code but may not copy any portion of the Source Code into
9 the notes. No copies shall be made of source code or any portion thereof, whether physical,
10 electronic or otherwise.

11 9.12 All HIGHLY CONFIDENTIAL – SOURCE CODE material, including all copies,
12 in the possession of the Receiving Party shall be maintained in a secured, locked area under the
13 direct supervision of Outside Counsel of Record for that party. The Source Code shall also be
14 kept in a locked container when not in use. The Receiving Party shall not create any electronic or
15 other images of the paper copies and shall not convert any of the information contained in the
16 paper copies into any electronic format except as provided in paragraph 9.13 below. The
17 Receiving Party may also temporarily keep the print outs at: (1) the court for any proceedings(s)
18 relating to the Source Code, for the dates associated with the proceeding(s); (2) the sites where
19 any deposition(s) relating to the Source Code are taken, for the dates associated with the
20 deposition(s); and (3) any intermediate location reasonably necessary to transport the print outs
21 (e.g., a hotel prior to a court proceeding or deposition).

22 9.14 The Receiving Party shall maintain a record of (1) any individual who has
23 accessed or inspected any portion of the Source Code in electronic or paper form, and (2) the
24 location and custodian of all Source Code in the possession of the Receiving Party. The
25 Receiving Party shall not create any electronic or other images of the paper copies and shall not
26 convert any of the information contained in the paper copies into any electronic format, except in
27 limited excerpts as necessary to prepare discovery responses, expert reports and other
28

1 investigation papers and filings. The Receiving Party shall make no more than two additional
2 paper copies of any Source Code received from the Producing Party and only if such additional
3 copies are (1) necessary to prepare filings, pleadings, or other papers (including a testifying
4 Expert's expert report) or (2) necessary for deposition. Whenever such hard copies are made, the
5 Receiving Party shall maintain a record of the Bates numbers of such pages, along with an
6 identification of when the copies were made and who made them. Any hard copies shall be
7 conspicuously marked "HIGHLY CONFIDENTIAL – SOURCE CODE" in conformity with
8 paragraph 9.10. Any paper copies used during a deposition shall be retrieved by the Party
9 conducting the deposition at the end of each day and must not be given to or left with a court
10 reporter or any other unauthorized individual. Upon request of a Receiving Party, a Producing
11 Party shall make a Standalone Computer with a full copy of any Source Code produced by the
12 Producing Party available for use at a deposition.

13 9.15 Except as provided in this paragraph, the Receiving Party may not create
14 electronic images or any other images of the Source Code from the paper copy for use on a
15 computer (*e.g.*, scanning the Source Code to a PDF or photographing the code is prohibited). The
16 Receiving Party may create an electronic copy or image of limited excerpts of source code only to
17 the extent expressly allowed in this Order and only to the extent necessary in a pleading, exhibit,
18 expert report, discovery document, deposition transcript, other Court document, or any drafts of
19 these documents ("Source Code Documents"). The Receiving Party shall only include such
20 excerpts as are reasonably necessary for the purposes for which such part of the Source Code is
21 used. Images or copies of Source Code shall not be included in correspondence between the
22 parties (references to production numbers shall be used instead) and shall be omitted from
23 pleadings and other papers except to the extent permitted herein. Any electronic file containing
24 such a Source Code image shall be encrypted using commercially reasonable encryption software,
25 including password protection. The disclosure of electronic files containing any portion of
26 Source Code shall at all times be limited to individuals who are authorized to see Source Code
27 under the provisions of this Protective Order. Additionally, all electronic copies must be labeled
28

1 “HIGHLY CONFIDENTIAL – SOURCE CODE.”

2 9.16 To the extent portions of Source Code are quoted in a Source Code Document,
3 either (1) the entire document will be labeled and treated as HIGHLY CONFIDENTIAL –
4 SOURCE CODE information or (2) those pages containing quoted Source Code will be
5 separately bound, labeled and treated as HIGHLY CONFIDENTIAL – SOURCE CODE
6 information.

7 9.17 Notwithstanding Paragraph IV above, within twenty (20) calendar days after final
8 disposition of this case (as the term “final disposition” is defined in Paragraph IV), the Receiving
9 Party must serve upon the Producing Party a certification of the destruction of all copies of the
10 Producing Party’s Source Code.

11 9.18 Access to and review of the Source Code shall be strictly for the purpose of
12 investigating the claims and defenses at issue in this case. No person shall review or analyze any
13 Source Code for purposes unrelated to this case, nor may any person use any knowledge gained
14 as a result of reviewing Source Code in this case in any other pending or future dispute,
15 proceeding, or litigation.

16 9.19 Unless otherwise agreed in advance by the parties in writing, following each day
17 on which inspection is conducted in accordance with this Order, the Receiving Party’s Outside
18 Counsel of Record and/or Expert shall remove all notes, documents, and all other materials from
19 the secure room. The Producing Party shall not be responsible for any items left in the room
20 following each inspection session, and the Receiving Party shall have no expectation of
21 confidentiality for any items left in the room following each inspection session without a prior,
22 written agreement to that effect.

23 **X. PROTECTED MATERIAL SUBPOENAED OR ORDERED PRODUCED IN**
24 **OTHER LITIGATION**

25 If a Party is served with a subpoena or a court order issued in other litigation that compels
26 disclosure of any information or items designated in this action as “CONFIDENTIAL,”
27 “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY,” or “HIGHLY CONFIDENTIAL
28 – SOURCE CODE,” that Party must:

1 (a) promptly notify in writing the Designating Party. Such notification shall include a
2 copy of the subpoena or court order;

3 (b) promptly notify in writing the party who caused the subpoena or order to issue in the
4 other litigation that some or all of the material covered by the subpoena or order is subject to this
5 Order. Such notification shall include a copy of this Stipulated Protective Order; and

6 (c) cooperate with respect to all reasonable procedures sought to be pursued by the
7 Designating Party whose Protected Material may be affected.³

8 If the Designating Party timely seeks a protective order, the Party served with the
9 subpoena or court order shall not produce any information designated in this action as
10 "CONFIDENTIAL," "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY," or
11 "HIGHLY CONFIDENTIAL – SOURCE CODE" before a determination by the court from
12 which the subpoena or order issued, unless the Party has obtained the Designating Party's
13 permission. The Designating Party shall bear the burden and expense of seeking protection in that
14 court of its confidential material – and nothing in these provisions should be construed as
15 authorizing or encouraging a Receiving Party in this action to disobey a lawful directive from
16 another court.

17 **XI. A NON-PARTY'S PROTECTED MATERIAL SOUGHT TO BE PRODUCED IN**
18 **THIS LITIGATION**

19 (a) The terms of this Order are applicable to information produced by a Non-Party in
20 this action and designated as "CONFIDENTIAL," "HIGHLY CONFIDENTIAL –
21 ATTORNEYS' EYES ONLY," or "HIGHLY CONFIDENTIAL – SOURCE CODE." Such
22 information produced by Non-Parties in connection with this litigation is protected by the
23 remedies and relief provided by this Order. Nothing in these provisions should be construed as
24 prohibiting a Non-Party from seeking additional protections.

25 (b) In the event that a Party is required, by a valid discovery request, to produce a

26 ³ The purpose of imposing these duties is to alert the interested parties to the existence of this
27 Protective Order and to afford the Designating Party in this case an opportunity to try to protect
28 its confidentiality interests in the court from which the subpoena or order issued.

1 Non-Party's confidential information in its possession, and the Party is subject to an agreement
2 with the Non-Party not to produce the Non-Party's confidential information, then the Party shall:

3 1. promptly notify in writing the Requesting Party and the Non-Party that some or all
4 of the information requested is subject to a confidentiality agreement with a Non-Party;

5 2. promptly provide the Non-Party with a copy of this Order, the relevant discovery
6 request(s), and a reasonably specific description of the information requested; and

7 3. make the information requested available for inspection by the Non-Party.

8 (c) If the Non-Party fails to object or seek a protective order from this court within
9 twenty-one (21) days of receiving the notice and accompanying information, the Receiving Party
10 may produce the Non-Party's confidential information responsive to the discovery request. If the
11 Non-Party timely seeks a protective order, the Receiving Party shall not produce any information
12 in its possession or control that is subject to the confidentiality agreement with the Non-Party
13 before a determination by the court.⁴ Absent a court order to the contrary, the Non-Party shall
14 bear the burden and expense of seeking protection in this court of its Protected Material.

15 **XII. EXPORT CONTROL REQUIREMENTS**

16 Notwithstanding anything to the contrary contained herein, the following additional
17 requirements apply to all Protected Material:

18 (a) The Receiving Party acknowledges that the Protected Material received under this
19 Order may be subject to export controls under the laws of the United States and other applicable
20 laws. The Receiving Party shall comply with such laws and agrees not to knowingly export, re-
21 export or transfer Protected Material of the Producing Party without first obtaining all required
22 United States or any other applicable authorizations or licenses. The Receiving Party
23 acknowledges that Protected Material disclosed by the producing party may be subject to,
24
25

26 ⁴ The purpose of this provision is to alert the interested parties to the existence of confidentiality
27 rights of a Non-Party and to afford the Non-Party an opportunity to protect its confidentiality
28 interests in this court.

1 including but not limited to, the U.S. Export Administration Regulations (EAR), Export Control
2 Classification Number (ECCN) 5E001 pertaining to Dynamic Adaptive Routing, Optical
3 Switching, SS7, non-aggregated port speed data transfer rates exceeding 15Gbps; and ECCN
4 5E002 cryptography.

5
6 (b) The Receiving Party agrees to maintain adequate controls to prevent nationals of
7 countries listed in the EAR, Part 740 Supplement No. 1, Country Group D:1 or E from accessing
8 the Producing Party's Protected Material, subject to ECCN 5E001; or nationals outside the U.S.
9 and Canada from accessing such Protected Material, subject to ECCN 5E002—without U.S.
10 Government authorization. The Receiving Party furthermore agrees to notify the Producing Party
11 prior to granting a foreign national, of countries listed in the groups D:1 or E, access to the
12 Standalone Computer, access to hard copies of Protected Material, or placement on a project
13 requiring receipt or review of the Producing Party's Protected Material. The term "national" is
14 defined as any person who is not a U.S. person or national/citizen, lawful permanent resident,
15 person granted asylee or refugee status, or temporary resident granted amnesty.

16 **XIII. UNAUTHORIZED DISCLOSURE OF PROTECTED MATERIAL**

17 If a Receiving Party learns that, by inadvertence or otherwise, it has disclosed Protected
18 Material to any person or in any circumstance not authorized under this Order, the Receiving
19 Party must immediately (a) notify in writing the Designating Party of the unauthorized
20 disclosures, (b) use its best efforts to retrieve all unauthorized copies of the Protected Material, (c)
21 inform the person or persons to whom unauthorized disclosures were made of all the terms of this
22 Order, and (d) request such person or persons to execute the "Acknowledgment and Agreement to
23 Be Bound" that is attached hereto as Exhibit A.

24 **XIV. INADVERTENT PRODUCTION OF PRIVILEGED OR OTHERWISE 25 PROTECTED MATERIAL**

26 When a Producing Party gives notice to Receiving Parties that certain inadvertently
27 produced material is subject to a claim of privilege or other protection, the obligations of the
28 Receiving Parties are those set forth in Federal Rule of Civil Procedure 26(b)(5)(B). Pursuant to

1 Federal Rule of Evidence 502(b), the inadvertent production of a privileged document or
2 communication or work product is not a waiver in this case or in any other federal or state court
3 proceeding.

4 **XV. MISCELLANEOUS**

5 14.1 Right to Further Relief. Nothing in this Order abridges the right of any person to
6 seek its modification by the court in the future.

7 14.2 Right to Assert Other Objections. By stipulating to the entry of this Order no Party
8 waives any right it otherwise would have to object to disclosing or producing any information or
9 item on any ground not addressed in this Order. Similarly, no Party waives any right to object on
10 any ground to use in evidence of any of the material covered by this Order.

11 14.3 Producing Party's Material. The restrictions on the use of Protected Material
12 established by this Order are applicable only to the use of information received by a party from
13 another Party or from a Non-Party. A Party is free to use its own information as it pleases.

14 14.4 Filing Protected Material. Without written permission from the Designating Party
15 or a court order secured after appropriate notice to all interested persons, a Party may not file in
16 the public record in this action any Protected Material. A Party that seeks to file under seal any
17 Protected Material must comply with Civil Local Rule 79-5. Protected Material may only be filed
18 under seal pursuant to a court order authorizing the sealing of the specific Protected Material at
19 issue. If a request to file Protected Material under seal pursuant to Civil Local Rule 79-5(d) is
20 denied by the court, then the filing party may file the Protected Material in the public record
21 pursuant to Civil Local Rule 79-5(f) unless otherwise instructed by the court.

22 14.5 Advice of Counsel. Nothing in this Order shall prevent or otherwise restrict
23 Outside Counsel of Record from rendering advice to their clients and, in the course thereof,
24 relying generally on Protected Material; provided, however, that in rendering such advice counsel
25 shall not disclose, reveal or describe any such materials except insofar as allowed (if allowed at
26 all) under the terms of this Order.

XVI. FINAL DISPOSITION

Within sixty (60) days after the final disposition of this action, as defined in paragraph 4, each Receiving Party must return all Protected Material to the Producing Party or destroy such material. As used in this subdivision, "all Protected Material" includes all copies, abstracts, compilations, summaries, and any other format reproducing or capturing any of the Protected Material. Whether the Protected Material is returned or destroyed, the Receiving Party must submit a written certification to the Producing Party (and, if not the same person or entity, to the Designating Party) by the 60 day deadline that confirms that the Receiving Party has not retained any copies, abstracts, compilations, summaries or any other format reproducing or capturing any of the Protected Material. Notwithstanding this provision, Counsel are entitled to retain an archival copy of all pleadings, motion papers, trial, deposition, and hearing transcripts, legal memoranda, correspondence, deposition and trial exhibits, even if such materials contain Protected Material. Any such archival copies that contain or constitute Protected Material remain subject to this Protective Order as set forth in Section 4 (DURATION).

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: June 25, 2015

Respectfully submitted,

/s/ Sean S. Pak

Kathleen Sullivan (SBN 242261)
kathleensullivan@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Sean S. Pak (SBN 219032)
seanpak@quinnemanuel.com
John M. Neukom (SBN 275887)
johnneukom@quinnemanuel.com.
Matthew D. Cannon (SBN 252666)
matthewcannon@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

Mark Tung (SBN 245782)
marktung@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065
Telephone: (650) 801-5000
Facsimile: (650) 801-5100

Steven Cherny (*admission pro hac vice
pending*)
steven.cherny@kirkland.com
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Adam R. Alper (SBN 196834)
adam.alper@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, California 94104

1 Telephone: (415) 439-1400
2 Facsimile: (415) 439-1500

3 Michael W. De Vries (SBN 211001)
4 michael.devries@kirkland.com
5 KIRKLAND & ELLIS LLP
6 333 South Hope Street
7 Los Angeles, California 90071
8 Telephone: (213) 680-8400
9 Facsimile: (213) 680-8500

Attorneys for Plaintiff Cisco Systems, Inc.

10 DATED: June 25, 2015

Respectfully submitted,

11 /s/ Brian L. Ferrall

12 KEKER & VAN NEST LLP
13 ROBERT A. VAN NEST - # 84065
14 rvannest@kvn.com
15 BRIAN L. FERRALL - # 160847
16 bferrall@kvn.com
17 DAVID J. SILBERT - # 173128
18 dsilbert@kvn.com
19 MICHAEL S. KWUN - # 198945
20 mkwun@kvn.com
21 633 Battery Street
22 San Francisco, CA 94111-1809
23 Telephone: 415 391 5400
24 Facsimile: 415 397 7188
25 *Attorneys for Defendant Arista Networks, Inc.*

ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that the concurrence in the filing of this document has been obtained from the signatory indicated by the “conformed” signature (/s/) of Brian L. Ferrall within this e-filed document.

/s/ Sean S. Pak

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: June 26, 2015

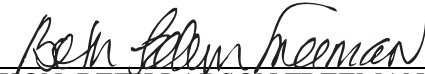

HON. BETH LABSON FREEMAN
United States District Judge

EXHIBIT A

ACKNOWLEDGMENT AND AGREEMENT TO BE BOUND

I, _____ [print or type full name], of _____
_____ [print or type full address], declare under penalty of perjury that I
have read in its entirety and understand the Stipulated Protective Order that was issued by the
United States District Court for the Northern District of California on _____ [date] in the
case of *Cisco Systems, Inc. v. Arista Networks, Inc.*, Case No. 14-cv-5344-BLF. I agree to
comply with and to be bound by all the terms of this Stipulated Protective Order, and I understand
and acknowledge that failure to so comply could expose me to sanctions and punishment in the
nature of contempt. I solemnly promise that I will not disclose in any manner any information or
item that is subject to this Stipulated Protective Order to any person or entity except in strict
compliance with the provisions of this Order.

I further agree to submit to the jurisdiction of the United States District Court for the
Northern District of California for the purpose of enforcing the terms of this Stipulated Protective
Order, even if such enforcement proceedings occur after termination of this action.

I hereby appoint _____ [print or type full name] of
_____ [print or type full address and telephone
number] as my California agent for service of process in connection with this action or any
proceedings related to enforcement of this Stipulated Protective Order.

Date: _____

City and State where sworn and signed: _____

[Printed name]

[Signature]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,
 Plaintiff,

v.

ARISTA NETWORKS, INC.,
 Defendant.

Case No. 14-cv-05344-BLF

**ORDER GRANTING MOTION TO
 SEAL**

[Re: ECF 768, 771]

Before the Court is Plaintiff Cisco Systems, Inc. (“Cisco”)’s administrative motion to file under seal certain portions of the trial transcripts. ECF 768. Arista Networks, Inc. (“Arista”) Arista filed an opposition, to which Cisco seeks leave to file a reply in further support of the motion. ECF 769, 771. For the reasons stated below, the motion is GRANTED and Cisco’s motion for leave to file a reply is TERMINATED as moot.

I. LEGAL STANDARD

There is a “strong presumption in favor of access” to judicial records. *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Foltz v. State Farm Mut. Auto. Ins. Co.*, 331 F.3d 1122, 1135 (9th Cir. 2003)). A party seeking to seal judicial records bears the burden of overcoming this presumption by articulating “compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure.” *Id.* at 1178-79. Compelling reasons for sealing court files generally exist when such “‘court files might have become a vehicle for improper purposes,’ such as the use of records to gratify private spite, promote public scandal, circulate libelous statements, or release trade secrets.” *Id.* (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)). However, “[t]he mere fact that the production of records may lead to a litigant’s embarrassment,

United States District Court
 Northern District of California

1 incrimination, or exposure to further litigation will not, without more, compel the court to seal its
 2 records.” *Kamakana*, 447 F.3d at 1179. Ultimately, “[w]hat constitutes a ‘compelling reason’ is
 3 ‘best left to the sound discretion of the trial court.’” *Ctr. for Auto Safety v. Chrslyer Grp., LLC*,
 4 809 F.3d 1092, 1097 (9th Cir. 2016).

5 In this District, parties seeking to seal transcripts of proceedings must furthermore follow
 6 Civil Local Rule 79-5 and General Order No. 59, which require, *inter alia*, that a sealing request
 7 be “narrowly tailored to seek sealing only of sealable material.” Civil L.R. 79-5(b). Where the
 8 submitting party seeks to file under seal a document designated confidential by another party, the
 9 burden of articulating compelling reasons for sealing is placed on the designating party. *Id.* 79-
 10 5(e). General Order No. 59 sets forth the time frame in which a transcript of a proceeding will be
 11 made public and the procedure by which a party may request redactions.

12 II. DISCUSSION

13 Cisco argues that the motion should be granted because it is seeking to redact narrow
 14 portions of the trial transcripts relating to terms of a confidential agreement and Cisco’s
 15 confidential business and litigation strategies. Mot. 2, ECF 768; Jenkins Decl. 1, ECF 768-1.
 16 Arista opposes the motion because Cisco did not follow the procedures to redact court transcripts
 17 as required by General Order No. 59. According to Arista, Cisco did not file a “Notice of Intent to
 18 Request Redaction” for at least one of the transcript days and waited over two months after the
 19 filing of its “Notice of Intent to Request Redaction” before filing the instant motion. Opp’n 1-2,
 20 ECF 769.

21 Although Cisco may or may not have complied with the procedures required by General
 22 Order No. 59, the Court nonetheless will consider the motion and need not determine whether this
 23 motion is timely. The timeliness requirement of General Order No. 59 is not jurisdictional. *See*,
 24 *e.g.*, *U.S., ex rel. Meyer v. Horizon Health Corp.*, No. 00-1303 SBA, 2007 WL 518607, at *3
 25 (N.D. Cal. Feb. 13, 2007) (holding that “timeliness requirement of Rule 54(d)(1) is not
 26 jurisdictional”). Moreover, the transcripts relevant to this motion still remain locked and
 27 unavailable to the public to date. Accordingly, the Court will exercise its discretion to consider
 28 this motion.


1 The Court has reviewed Cisco's sealing motion and declaration of Sara Jenkins in support
2 thereof. According to the declaration, the portions of the transcripts should be sealed because they
3 contain confidential information based on a non-public agreement that reveals Cisco's litigation
4 strategies. ECF 768-1 ¶ 3. The Court finds that Cisco has articulated compelling reasons to seal
5 certain portions of the transcripts. The proposed redactions are also narrowly tailored.

6 **III. ORDER**

7 For the foregoing reasons, the sealing motion at ECF 768 is GRANTED and the following
8 narrowly tailored portions of the trial transcript are to be sealed:

- 9 • 1187:2-5
- 10 • 1188:4-1190:16
- 11 • 1191:6-1192:3
- 12 • 1199:18-21
- 13 • 1720:9-14
- 14 • 1765:23-25
- 15 • 1771:11-17
- 16 • 2130:4-7
- 17 • 2130:16-8
- 18 • 2264:15-20
- 19 • 2760:8-10
- 20 • 2789:1-5

21
22 Dated: February 24, 2017

23 
24 BETH LABSON FREEMAN
25 United States District Judge
26
27
28

1
2
3 **UNITED STATES DISTRICT COURT**
4 **NORTHERN DISTRICT OF CALIFORNIA**
5 **SAN JOSE DIVISION**

6 CISCO SYSTEMS, INC,
7 Plaintiff,

Case No. 14-cv-05344-BLF

8 v.

JUDGMENT

9 ARISTA NETWORKS, INC.,
10 Defendant.
11

12
13 This action came before the Court for trial by jury, the undersigned Judge presiding, on
14 November 18, 28, 29, 30, December 1, 2, 5, 6, 7, 8, 9, 12, 13, 14, 2016. The jury returned its
15 verdict on December 14, 2016. Consistent with that verdict, which is attached hereto,
16 JUDGMENT is hereby entered in favor of Defendant Arista Networks, Inc. and against Plaintiff
17 Cisco Systems, Inc. and Plaintiff shall take nothing by its suit. Any remaining claims or defenses
18 of the parties are hereby DISMISSED. Defendant shall recover from Plaintiff the costs of suit
19 according to proof.

20 **IT IS SO ORDERED.**

21
22 Dated: December 19, 2016

23 
24 BETH LABSON FREEMAN
25 United States District Judge
26
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS INC,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 14-cv-05344-BLF

**ORDER DENYING MOTIONS FOR
JUDGMENT AS A MATTER OF LAW
AND MOTION FOR A NEW TRIAL**

Following a two-week trial, a jury collectively found that Defendant Arista Networks, Inc. (“Arista”) infringed Plaintiff Cisco Systems, Inc. (“Cisco”)’s asserted user interfaces but that the infringement was excused by the *scènes à faire* affirmative defense.

Cisco now moves on two grounds to amend the Court’s judgment as a matter of law. Mot., ECF 761. Arista also conditionally moves on several grounds to amend the Court’s judgment as a matter of law and for a new trial. ECF 760. For the reasons stated below, the Court DENIES Cisco’s motion and finds that Arista’s motions are moot.

I. BACKGROUND

A. Factual Background

Cisco and Arista are competitors who make and sell Ethernet switches, which connect multiple devices within a local area network and can direct traffic on the network. Founded in 1984, and one of the pioneers of networking technologies, Cisco developed an “Internetwork Operating System” (“IOS”) that allowed engineers to configure and manage Cisco servers, routers, and switches. Cisco has obtained copyright registrations on the various versions of its IOS and associated technical manuals. Arista, founded in 2004, by former Cisco executives, also sells networking equipment using an “Extensible Operating System” (“EOS”).

Cisco brought suit against Arista, claiming that Arista violated its copyrights and infringed

its patents. ECF 1. For its copyright infringement claim, Cisco asserted that Arista infringed the user interfaces found in four Cisco operating systems as well as the associated technical documentation. Second Am. Compl. (“SAC”) ¶ 27, ECF 64. Cisco owns twenty-six copyright registrations based on various versions of its four operating systems. *Id.* ¶ 25. The operating systems were developed for use with Cisco’s networking products, including its routers and switches. *Id.* ¶ 6. Cisco’s operating systems employed text-based user interfaces (referred to by Cisco as command-line user interfaces or “CLI”), which is the primary mechanism for network engineers to interact with switches and routers. *See* Analytic Dissection Order (“AD Order”), ECF 740. When a network engineer or system operator types multiword command expressions into the user interface, the expressions are then displayed on a screen that is connected to the networking device. *Id.* Cisco claimed that its CLIs contain at least the following protected elements: (1) multi-word command expressions, (2) multi-word command hierarchies, (3) modes and prompts, (4) command responses or screen outputs; and (5) help descriptions, an overview of which is provided below. Mot. 1, 4.

With respect to “multiword command expressions,” Cisco claimed that more than 500 of the multiword command expressions across four operating systems are protectable and copied by Arista. SAC ¶ 51. Examples of multiword command expressions include “boot system,” “show inventory,” “area nssa translate type7 always,” and “spanning-tree portfast bpdufilter default.” *See, e.g.*, Tr. Ex. 4803, Ex. I to Jenkins Decl., ECF 761-10. According to Cisco, these command expressions are also grouped by initial words into collections to reflect multi-level textual hierarchies. AD Order. For illustration purposes, part of the “show” command hierarchy is shown below.

```
show
  show arp
  show clock
  show environment
    show environment all
    show environment power
    show environment temperature
```

Once the operator inputs a multiword command expression, the switch or router analyzes the command and responds by displaying textual screen outputs on screen. Cisco referred to these

1 textual displays in response to the operator's input as "command responses" or "command
2 outputs." The Cisco CLI further provides a selection of modes that permit an operator to access
3 greater or fewer command expressions based on operator status. For example, an operator who
4 has entered "Privilege EXEC" mode will have access to different commands than a user who is in
5 "User EXEC" mode. Different modes are indicated by different textual titles and different textual
6 prompts that appear on the screen (e.g., "(config-if)#" or "(config)#"). These prompts are used to
7 indicate to the operator which mode he or she is in, and thus which commands the operator has
8 access to. Additionally, the Cisco CLI allows the operator to ask for help in using the multiword
9 command expressions by typing a command followed by "?". The screen will then display text
10 that describes the command or any other information to assist the operator in managing or
11 configuring the network device in relation to the inquired command.

12 Cisco also asserted claims of copyright infringement of its user manuals and patent
13 infringement but those claims are not relevant to the parties' instant motions.

14 **B. Procedural History**

15 Cisco filed its original complaint on December 5, 2014. ECF 1. Toward the end of a hard-
16 fought litigation, the parties sought summary judgment on various issues, such as copyrightability,
17 copyright infringement, the affirmative defense of fair use, and patent infringement of U.S. Patent
18 No. 7,047,526. On August 23, 2016, for reasons stated in the Court's order, the summary
19 judgment motions were denied in their entirety and those issues as well as others proceeded to
20 trial. ECF 482.

21 Around the same time, the Court also requested the parties to submit several rounds of
22 briefing on "analytic dissection," to assist the Court in performing a part of the extrinsic test
23 pursuant to the Ninth Circuit's two-part test for determining copyright infringement. ECF 740.
24 Analytic dissection aims to separate unprotectable ideas from potentially protectable expressions
25 prior to determining the scope of copyright protection and comparing the works for similarity. *See*
26 *Apple Computer, Inc. v. Microsoft Corp.*, 35 F.3d 1435, 1442-43 (9th Cir. 1994). After reviewing
27 the parties' briefing on analytic dissection and holding a hearing, the Court found several aspects
28 of the asserted elements to be unprotectable, including "individual words," "individual multiword

command line expressions,” “individual help description phrases,” “specific modes and specific prompts,” and others. *See* AD Order. However, the Court found each of the following protectable as a compilation: (1) multiword command expressions; (2) modes and prompts; (3) command responses; and (4) help descriptions. The Court also found that each of Cisco’s user interfaces as a whole is subject to protection as a compilation of those four elements. *Id.*

From November 18 to December 14, 2016, the Court held a jury trial on Cisco’s copyright infringement claims, infringement claims of one of its patents, and Arista’s defenses. At trial, the jury was instructed that Cisco’s copyrighted works are “Cisco’s four user interfaces for IOS, IOS XR, IOS XE, and NX-OS.” Tr. 2668:19-22 (Instr. No. 25). They were also instructed that to prove infringement, Cisco was required to show that it “is the owner of a valid copyright,” that “Arista copied original, protected elements from Cisco’s copyrighted works,” and that Arista’s “copying was greater than *de minimis*, that is, more than a trivial amount of Cisco’s works as a whole.” Tr. 2669:12-16 (Instr. No. 29), 2671:23-24 (Instr. No. 36), 2675:6-7 (Instr. No. 41). Cisco could establish copying in either of two ways: (1) “direct evidence,” such as Arista’s admissions of copying; or (2) “indirect evidence,” namely proof that (a) Arista had access to Cisco’s works, and (b) “there is virtual identity between Arista’s works and the original, protected elements of Cisco’s works.” Tr. 2672:1-11 (Instr. No. 36). With respect to “indirect evidence,” the Court also instructed the jury on protectable elements and unprotectable elements, based on the Court’s analytic dissection ruling. Specifically, the Court listed the “following elements of Cisco’s works protected as a compilation if you [the jury] find that they are original”:

1. The selection and arrangement of Cisco’s multiword command-line expressions;
2. The selection and arrangement of Cisco’s modes and prompts;
3. The collection of Cisco’s screen responses and outputs;
4. The collection of Cisco’s help descriptions;
5. Cisco’s user interfaces as a whole as compilations of elements 1 through 4;
6. Each of Cisco’s technical manuals.

Tr. 2673:4:16. (Instr. No. 39). The Court further instructed the jury not to consider elements the

Court has deemed unprotectable pursuant to analytic dissection, such as individual words or individual command line expressions. Tr. 2673:17-2674:14. (Instr. No. 39).

Also relevant to Cisco’s JMOL motion is the instruction on the affirmative defense of scènes à faire, which the Court instructed the jury as follows:

Scenes a faire is an affirmative defense to copyright infringement.

To show that portions of Cisco’s user interfaces are scenes a faire material, Arista must show that, at the time Cisco created the user interfaces—not at the time of any copying—external factors other than Cisco’s creativity dictated that Cisco select, arrange, organize and design its original features in the manner it did. The scenes a faire doctrine depends on the circumstances presented to the creator at the time of creation, not the circumstances presented to the copier at the time it copied.

Arista has the burden of proving this defense by a preponderance of the evidence.

Tr. 2680:12-25 (Instr. No. 61).

After deliberation, the jury returned a verdict on December 14, 2016, finding that Cisco has proven copyright infringement of at least one of its user interfaces and that Arista has proven the scènes à faire defense. Tr. 2827:1-8; Verdict, ECF 750-1. The Court entered judgment on December 19, 2016, in favor of Arista. ECF 669.

The parties filed their respective post-trial motions on January 17, 2017. ECF 760, 761. The Court then held a hearing on these motions on April 27, 2017. ECF 783.

II. CISCO’S MOTION FOR JUDGMENT AS A MATTER OF LAW

A. Legal Standard

Federal Rule of Civil Procedure 50(b) allows a party to renew no later than 28 days after the entry of judgment, a motion of for judgment as a matter law made under Rule 50(a) that was not granted by the Court. Fed. R. Civ. P. 50(b). Under Ninth Circuit law, a renewed motion for judgment as a matter of law should be granted “if the evidence, construed in the light most favorable to the nonmoving party, permits only one reasonable conclusion, and that conclusion is contrary to the jury’s verdict.” *Pavao v. Pagay*, 307 F.3d 915, 918 (9th Cir. 2002); *see also Old Town Canoe Co. v. Confluence Holdings Corp.*, 448 F.3d 1309, 1314 (Fed. Cir. 2006) (“A motion for JMOL is properly granted only if no reasonable juror could find in the non-movant’s favor.”) (citing *Sanghvi v. City of Claremont*, 328 F.3d 532, 536 (9th Cir. 2003)). “Conversely, ‘[i]f

1 reasonable minds could differ as to the import of the evidence, . . . a verdict should not be
2 directed.” *Velazquez v. City of Long Beach*, 793 F.3d 1010, 1018 (9th Cir. 2015) (citing
3 *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 250-51 (1986)).

4 In reviewing a motion for a judgment as a matter of law, “the court must draw all
5 reasonable inferences in favor of the nonmoving party.” *Escriba v. Foster Poultry Farms, Inc.*,
6 743 F.3d 1236, 1241 (9th Cir. 2014). “[A]lthough the court should review the record as a whole,
7 it must disregard evidence favorable to the moving party that the jury is not required to believe,
8 and may not substitute its view of the evidence for that of the jury.” *Johnson v. Paradise Valley*
9 *Unified Sch. Dist.*, 251 F.3d 1222, 1227 (9th Cir. 2001) (quoting *Reeves v. Sanderson Plumbing*
10 *Prods., Inc.*, 530 U.S. 133, 150 (2000)). “[T]he court must not weigh the evidence, but should
11 simply ask whether the plaintiff has presented sufficient evidence to support the jury’s
12 conclusion.” *Harper v. City of Los Angeles*, 533 F.3d 1010, 1021 (9th Cir. 2008).

13 **B. Substantial Evidence In Support of the Scènes à Faire Defense to Copyright**
14 **Infringement Liability**

15 Cisco argues that the record provides no substantial evidence to support the jury’s verdict
16 on the defense of scènes à faire because evidence on external constraints was not directed to the
17 protectable compilations but was directed to individual words, terms, or acronyms of the
18 multiword command-line expressions. Mot. 13. Cisco also contends that the evidence fails to
19 show that the external considerations dictated the selection, arrangement, organization and design
20 of the protectable compilations at the time of creation. *Id.* at 13-14.

21 In opposition, Arista responds that the jury instruction – as proposed by Cisco – correctly
22 sets forth the law on scènes à faire. Opp’n 4-5, ECF 763. Arista also argues that the scènes à faire
23 inquiry is flexible and can include “considerations of efficiency” and “compatibility with
24 equipment.” *Id.* at 5-6 (citing *Oracle Am., Inc. v. Google Inc.*, 750 F.3d 1339, 1370 (Fed. Cir.
25 2014); *Mitel, Inc. v. Iqtel, Inc.*, 124 F.3d 1366, 1375 (10th Cir. 1997)). Arista also claims it
26 needed only to put forward evidence allowing a rational jury to find that scènes à faire applied to
27 the same portion of Cisco’s compilation that it found infringed and not to all compilations. Opp’n
28 7. Arista also points to various evidence in the record as relevant and substantial in support of the

1 jury's verdict, such as the nature of the command-line interface, pre-existing conventions, and
2 customer requirements. *Id.* at 8, 10-15.

3 As a preliminary matter, it is undisputed by the parties for the purpose of Cisco's motion
4 that the jury was properly instructed on the defense of scènes à faire, stating that "Arista must
5 show that, at the time Cisco created the user interfaces—not at the time of any copying—external
6 factors other than Cisco's creativity dictated that Cisco select, arrange, organize and design its
7 original features in the manner it did." Tr. 2680:12-25 (Instr. No. 61); Mot. 4; Opp'n 4-5. Cisco,
8 however, charges Arista with "water[ing] down the governing legal standards" based on Arista's
9 arguments relating to "efficiency" or "consistency." Reply 1-2; *e.g.*, Opp'n 3-4. Regardless, the
10 parties do not dispute the jury was properly instructed so the instruction given to the jury controls
11 here. *See Lange v. Penn Mut. Life Ins. Co.*, 843 F.2d 1175, 1184 (9th Cir. 1988) ("absent a
12 contrary finding, it must be assumed the court's instructions were followed").

13 The Federal Circuit has set forth an overview of the scènes à faire doctrine as follows:

14 The scènes à faire doctrine . . . provides that "expressive elements of a
15 work of authorship are not entitled to protection against infringement if
16 they are standard, stock, or common to a topic, or if they necessarily
17 follow from a common theme or setting." [*Mitel, Inc. v. Iqtel, Inc.*, 124
18 F.3d 1366, 1374 (10th Cir. 1997)]. Under this doctrine, "when certain
19 commonplace expressions are indispensable and naturally associated with
20 the treatment of a given idea, those expressions are treated like ideas and
21 therefore are not protected by copyright." *Swirsky v. Carey*, 376 F.3d 841,
22 850 (9th Cir. 2004). In the computer context, "the scènes à faire doctrine
denies protection to program elements that are dictated by external factors
such as 'the mechanical specifications of the computer on which a
particular program is intended to run' or 'widely accepted programming
practices within the computer industry.'" [*Softel, Inc. v. Dragon Med. &*
Sci. Commc'ns, Inc., 118 F.3d 955, 963 (2d Cir. 1997)] (citation omitted).

23 *Oracle Am., Inc. v. Google Inc.*, 750 F.3d 1339, 1363 (Fed. Cir. 2014) (applying Ninth Circuit
24 law). The "dictated" element requires that a chosen expression be "'as a practical matter
25 indispensable, or at least standard.'" *Apple Computer*, 35 F.3d at 1444 (quoting *Frybarger v. Int'l*
26 *Bus. Machs. Corp.*, 812 F.2d 525, 530 (9th Cir. 1987)).

27 Considering this legal standard and viewing the record in light most favorable to the
28 verdict, the record provides substantial evidence in support of a scènes à faire defense.

1 Additionally, the Court finds that substantial evidence in support of a scènes à faire defense in this
2 case need not comprehensively cover the entirety of Cisco's works but only that portion the jury
3 found to be infringed. First, a reasonable jury could very well have found only one protectable
4 element of Cisco's works to be original. Instr. No. 39. Second, the jury, in following the
5 instructions as we presume it did, must have found that there was copying of that original,
6 protectable element and that the copying was "more than a trivial amount of Cisco's works as a
7 whole." Instr. No. 41. However, the verdict form did not require the jury to identify the specific
8 protectable elements it found to be original. Nor did it require the jury to elaborate on the quantity
9 or the qualitative significance of the copied portion in support of its finding that the copying was
10 more than "de minimis." Thus, the copied and protected portion found by the jury could be just
11 one of the following: (1) the selection and arrangement of Cisco's multiword command-line
12 expressions; (2) the selection and arrangement of Cisco's modes and prompts; (3) the collection of
13 Cisco's screen responses and outputs; (4) the collection of Cisco's help descriptions; (5) Cisco's
14 user interfaces as a whole as compilations of elements 1 through 4.

15 Assuming that "selection and arrangement of Cisco's multiword command-line
16 expressions" was the element that the jury found protected and copied, the jury's verdict is
17 supported by substantial evidence. First, there is evidence that at least certain selection and
18 arrangement of multiword command-line expressions were constrained by functionality, and
19 preexisting network industry protocols. For example, Arista's expert, Dr. Black, testified that as a
20 technical matter, the functional choice of features to be implemented in a system dictates the
21 contents of the compilation of CLI commands. Tr. (Black) 2126:2-14 (compilation of commands
22 driven by features). Dr. Black explained that commands are linked to and driven by device
23 features, both at the level of individual commands or sub-groups of commands and as to the
24 overall compilation of commands within the CLI. *See, e.g., id.*; *id.* at 2256:9-2258:10 (testifying
25 that "it [would not] make sense" to have a command for Virtual Router Redundancy Protocol
26 (VRRP) if the networking vendor does not implement the VRRP protocol; stating the same with
27 respect to PTP commands). Based on this testimony, a reasonable jury could conclude the
28 selection of commands to create the compilation, such as the selection and arrangement of VRRP

1 and PTP commands, for example, was constrained by functionality.

2 This conclusion is further bolstered by other testimony relating to preexisting standard
3 network industry protocol. Cisco's expert, Dr. Almeroth, testified at trial that IP protocol version
4 6 ("ipv6") was one of the internet protocols standardized by the Internet Engineering Task Force
5 ("IETF"). Tr. 1293:5-25; Tr. Ex. 5040. He also stated that "[a] number of commands at issue in
6 this case [] use ipv6." Dr. Almeroth further admitted "some RFC's [Request for Comments
7 publications from the IETF] like this [ipv6 document] have terminology and glossary sections."
8 Tr. Ex. 6944 (RFC 791, dated 1981). Many command line expressions of the ipv6 group employ
9 terms defined in the terminology section in the ipv6 document. Tr. 1295:13-1298:15; *see also* Tr.
10 1347:17-19 (45 asserted commands used the industry standard "IPv6" term). As such, based on
11 this testimony, a reasonable jury could find that the selection and arrangement of certain ipv6
12 commands are dictated by the references to features and functionalities of the ipv6 standard
13 protocol as defined by the IETF.

14 Another example is the "ip gimp" commands, in which five commands, including "ip gimp
15 query-internal," "ip gimp startup-query-interval," and "ip gimp startup-query-count" were selected
16 and arranged based on the Internet Group Management Protocol (IGMP) industry standard. Tr.
17 Ex. 6877 at 18-19 (RFC 2236, dated Nov. 1997). The trial exhibit shows that, for example,
18 "query-internal," "startup-query-interval," and "startup-query-count" are terms defined in the
19 IGMP standard protocol. Similarly, various "Open Shortest Path First (OSPF)" commands are
20 selected and grouped together as the terms in different OSPF command line expressions are
21 defined in the OSPF industry standard. Tr. Ex. 65038 (RFC 1131, dated 1989). In fact, "Cisco
22 engineers [were] free to use industry standard publications when they come up with commands"
23 according to a Cisco engineer, Mr. Phillip Remaker. Tr. 689:10-18. And "[m]any of the terms in
24 Cisco's CLI commands were taken directly from various networking industry protocols." Tr.
25 (Almeroth) 1291:250-1292:4. *See also* Tr. (Almeroth) 1365:13-23; TX 6870 (PIM protocol
26 specification) ("There were many [] protocols that are relevant to the commands at issue in this
27 case," including the PIM (protocol independent multitask) protocol, which appears in roughly 20
28 of the commands); Tr. (Juniper witness Shafer) at 2069:6-2072:8 (many CLI commands and

1 features are identical between Juniper JUNOS and Cisco IOS because “the design constraints in
2 creating a CLI” made the overlapping features “the obvious choice”).

3 Testimony by Cisco’s engineers provides additional evidence that the selection and
4 arrangement of the multiword command lines were constrained by functions and networking
5 standards. At trial, Mr. Kirk Loughheed, one of the Cisco engineers involved in the development of
6 Cisco’s CLIs, testified that “command name” is “the beginning set of words, words that use the
7 command, that basically define the command,” Tr. 624:9-14, and that the commands were
8 selected based on a few initial key words for “functionality” and subsequent commands depend on
9 what was already selected “to fit in with that,” and other considerations on selecting the
10 commands include the need to be “reasonable and logical,” and “something that would make sense
11 to [network managers and support people].” Tr. 572:16-573:13. Dr. Black, Arista’s expert, also
12 testified that Tong Liu, a Cisco employee “brought [PTP] commands into the Cisco CLI” based
13 her knowledge of pre-existing system named TOPS20 and the need to implement the precision
14 time protocol. Tr. 2094:14-2095:5. Thus, there was substantial evidence that the selection and
15 arrangement of commands were dictated by the need for certain functionality and to “fit in with”
16 that functionality.

17 Based on the exemplary evidence discussed above, a reasonable jury could conclude that
18 Cisco selected and arranged the multiword command expressions based on functionalities defined
19 by the industry networking protocols, such that, for example, expressions referencing all the
20 features and functions defined in the IGMP, OSPF, and ipv6 standards are selected and arranged
21 accordingly. While this evidence relates to certain groups of commands, it also implicates
22 selection and arrangement of other commands, as a rational jury was entitled to make inferences to
23 that effect. The jury could reasonably infer that constraints flowing from the overall industry
24 context and the basic functional nature of the CLI dictated the overall structure and arrangement of
25 Cisco’s asserted compilation of commands that the jury found was original and infringed.

26 Second, there is also substantial evidence that selection and arrangement of the multiword
27 command lines were constrained by customer demands. For example, Mr. Remaker testified
28 about Cisco’s “Parser Police” manifesto, which provided guidelines to Cisco engineers in creating

1 the multiword command expressions. Tr. 694:24-695:4. Mr. Remaker admitted that the purpose
2 this document is “to ensure consistency, usability and friendliness of the configuration interface”
3 and he further stated that “Cisco’s customers expect [consistency].” Tr. 694:1-23; Tr. Ex. 851
4 (Ex. B to Opp’n), ECF 763-1. A reasonable jury could view these rules as a summary of external
5 constraints on the creation of the collection of multiword command expressions to satisfy
6 customer needs and technical requirements.

7 Testimony from other witnesses also supports this conclusion. Mr. Lougheed testified that
8 “when we went into the market place, [we discovered that people] wanted to run traffic from the
9 networks of [other preexisting vendors] . . . so we started adding these other network protocols . . .
10 in addition to the internet protocol into our system.” Tr. 513:23-514:5. Mr. Lougheed further
11 stated that “[t]he constraint is because we have to be consistent with stuff we’ve done before.” Tr.
12 714:18-19. According to Lougheed, “[e]lements of command development that are important
13 [include] backwards compatibility with what exists, thinking about future extensibility,
14 considering the engineer’s own preferences and thinking about what the customers might have.”
15 Tr. 653:10-17. Dr. Black, Arista’s expert, also testified that CLI was created with a “consistency
16 with all the preceding CLI’s that did the same thing, and that’s what engineers would expect.” Tr.
17 2214:1-2. Based on the testimony and the evidence, a reasonable jury could conclude that Cisco’s
18 selection and arrangement of elements in the compilation of multiword command lines was
19 dictated by the need to satisfy customers who wanted consistency, as well as functions from pre-
20 existing systems.

21 Cisco argues that that the scènes à faire evidence in the record was directed to isolated
22 words, terms, or acronyms within the expressions. Reply 6. Cisco contends, for example, that the
23 evidence relating to standard industry networking protocols is directed to individual terms and
24 thus insufficient. *Id.* at 8. While there was evidence directed to isolated words, terms, acronyms,
25 syntax or other unprotectable elements, there was also evidence relevant to the selection and
26 arrangement of the compilation of command line expressions. Specifically, with regard to
27 evidence relating to standard industry networking protocols, it is reasonable for a jury to conclude
28 that different command line expressions should be arranged and selected together if different

1 terms in those command line expressions are defined and governed by the same industry standard
2 protocol. Thus, in accordance with the exhibits and testimony discussed above, a reasonable jury
3 could draw conclusions and reasonable inferences that several factors constrained the selection
4 and arrangement of the command line expressions. Factors may include customer demand,
5 industry standards of networking protocols, and other rules set forth in the Parser Police
6 manifesto, to name a few.

7 Even though Cisco insists that the evidence in the record was directed to only individual
8 terms and did not rebut Cisco's "undisputed" evidence, such as Dr. Almeroth's testimony on
9 Cisco engineers' "creative choice," this contention fails to account for the evidence discussed
10 above that is relevant to the selection and arrangement of the individual command expressions to
11 create the compilation. Mot. 5-7. The Court recognizes that certain testimony, such as that of Mr.
12 Phillip Shafer from Juniper Networks, or Mr. Balaji Venkatraman from HP, could support Cisco's
13 argument that there were no "constraints" in the creation of the compilation of multiword
14 command expressions. *Id.* at 8-9. However, the jury was not required to believe such testimony
15 and such testimony in Cisco's favor was not "uncontradicted." *See Reeves v. Sanderson Plumbing*
16 *Prod., Inc.*, 530 U.S. 133, 151 (2000) (noting that on JMOL, a court "must disregard all evidence
17 favorable to the moving party that the jury is not required to believe"). In reviewing the record on
18 a motion to amend judgment, the Court must "review the record as a whole," and "must draw all
19 reasonable references in favor of the nonmoving party." *Johnson*, 251 F.3d at 1227 (internal
20 quotations omitted). Given that the identified testimony of Mr. Shafer, Mr. Venkatraman, or Dr.
21 Almeroth is disputed, a jury is not required to believe that particular opinion testimony. As such,
22 evidence from the record proffered by Cisco that is in its favor is insufficient to overturn the jury
23 verdict.

24 Cisco further argued at the hearing that the evidence in the record is not relevant to the
25 selection and arrangement of the entirety of the compilation. Specifically, Cisco contended that
26 the "piecemeal" evidence proffered in Arista's opposition is not sufficient to show *scènes à faire*
27 for the totality of the compilation. Apr. 27, 2017 Hr'g Tr. 57:16-18; 58:10-20, ECF 786. This
28 argument, however, points more towards a different jury instruction which is not before the Court.

Moreover, a reasonable jury could infer from the evidence regarding portions of the compilation that the entire compilation was dictated by external factors.

Cisco's reliance on *Merch. Transaction Sys., Inc. v. Nelcela, Inc.* is also unavailing. Reply 3-4; No. 02-1954, 2009 WL 723001, at *13 (D. Ariz. Mar. 18, 2009). The plaintiffs in *Merch. Transaction* sought protection for the organizational structure of a software database, such as "the design and layout of the database, the accompanying database structures and definitions (table and column names and data types), file names and structures" and others. *Id.* at *12. Addressing the defendant's argument that the "field names" are unprotectable, the court agreed that the "individual field names are unprotected under the scènes à faire doctrine as they are generally a result of customary programming practices." *Id.* However, given that the plaintiffs sought protection of the compilation of those elements, and not the elements individually, the court found the compilation protectable, stating that it "cannot conclude that no reasonable juror could not find creativity in the selection and arrangement" of those elements. *Id.* at *13. In reaching that conclusion, the court reasoned that the individual field names "may become numerous enough and their selection and arrangement original enough that their combination constitutes an original work." *Id.*

Given that *Merch. Transaction* concerned analytic dissection and invoked a standard akin to summary judgment, it has limited application on a motion to amend judgment. The ruling reached in *Merch. Transaction* with respect to field names is similar to the analytic dissection ruling in this case, where the Court found that the individual terms and individual multiword command expressions are not protectable, but that their selection and arrangement into a compilation could be. However, the court in *Merch. Transaction* was not reviewing the record for substantial evidence and was not confronted with evidence showing factors constraining the selection and arrangement of command line expressions, as those discussed above.

Cisco also argues that substantial evidence must show that a plaintiff's "use of the exact arrangement" of the relevant elements in their "exact order" was "dictated" by external factors. Reply 3 (citing *Merch. Transaction*, 2009 WL 723001, at *12-13). However, in selectively quoting *Merch. Transaction*, Cisco ignores what the court stated immediately following those

selective quotes: “nor is there anything to suggest that common sense or efficiency considerations dictated [defendant’s] use of the same abbreviations in the exact order as [plaintiffs’].” *Id.* at *13. The Court finds that Cisco overstates *Merch. Transaction*’s dicta on the “exactness” of the arrangement, and fails to account for the different standard under which *Merch. Transaction* was decided.

Other cases that Cisco cites in support of its motion pertain to cases on summary judgments and fail to negate the substantial evidence in this case supporting the jury’s verdict. *See, e.g., B2B CFO Partners, LLC v. Kaufman*, 787 F. Supp. 2d 1002, 1005, 1007-08 (D. Ariz. 2011) (on a motion for partial summary judgment, rejecting the *scènes à faire* defense and finding that the plaintiff’s training manual “may contain some common business practices or ideas” but that the expression did “not naturally flow from the business concepts contained therein”); *Metcalf v. Bochco*, 294 F.3d 1069, 1072, 1074 (9th Cir. 2002) (reversing summary judgment, noting that *scènes à faire* prohibits protection of the “idea of an idealistic young professional choosing between financial and emotional reward, or of love triangles . . . , or of political forces interfering with private action, but that the combination could satisfy the extrinsic test”); *Curcio Webb LLC v. Nat’l Ben. Programs Agency, Inc.*, No. C2-03-559, 2006 WL 47506, at *6 (S.D. Ohio Jan. 9, 2006) (refusing to grant summary judgment based on the *scènes à faire* defense because the defendant did not establish that there was “a custom within the industry or that such organization and language is advisable” in a form used by the plaintiff to procure bids on behalf of its clients); *Harner v. Wong Corp.*, No. 12-00820, 2013 WL 11549284, at *1, 9 (D.N.M. Oct. 31, 2013) (concluding on summary judgment that the *scènes à faire* doctrine was not applicable because the combination of the photos, while individually unprotectable, rendered the advertisement unique).

Instead, the Court finds *Mitel, Inc. v. Iqtel, Inc.* more instructive than the above-cited cases. 124 F.3d 1366, 1368 (10th Cir. 1997). The court in *Mitel* affirmed the lower court’s denial of a preliminary injunction motion because the *scènes à faire* doctrine barred plaintiff Mitel’s command codes from copyright protection. *Id.* at 1375. The *Mitel* court evaluated whether the lower court properly found that “a set of four-digit numeric instructions known as “command codes”” was not protectable. *Id.* Mitel created these command codes to access the features of

1 telecommunications hardware known as a call controller. *Id.* at 1367-68. Because Mitel
2 controlled a large share of the call controller market, the defendant argued that it could compete
3 with Mitel only if its controller were compatible with Mitel's controller. *Id.* at 1369. The court
4 noted that for computer-related applications, external factors in support of the *scènes à faire*
5 defense can include "software standards and compatibility requirements, computer manufacturer
6 design standards, industry programming practices, and practices and demands of the industry
7 being serviced." *Id.* at 1375. The court further explained that "[b]ecause these factors concern
8 functional aspects of a work, the *scènes à faire* doctrine plays a particularly important role in
9 ensuring that copyright rewards and stimulates artistic creativity in a utilitarian work "in a manner
10 that permits the free use and development of non-protectable ideas and processes" that make the
11 work useful. *Id.* (citing *Computer Assocs. Int'l, Inc. v. Altai, Inc.*, 982 F.2d 693, 711 (2d Cir.
12 1992). Affirming the lower court's ruling, the *Mitel* court first found that the values of the
13 command codes "were selected by Mitel's product management department in response to
14 customer demand or to ensure compatibility with equipment." *Mitel*, 124 F.3d at 1375. The court
15 also found that "[s]tandard programming conventions such as '1' for 'on' and '0' for 'off'
16 determined some of the descriptions and values." *Id.* The court then concluded that Mitel's
17 command codes "were dictated by external functionality" and were not protectable. *Id.* at 1376.

18 Although Mitel concerned a preliminary injunction, its reasoning on computer-related
19 applications is relevant to this case. Here, the witness testimony and other evidence, discussed
20 above regarding networking industry protocols and pre-existing networking systems, fall squarely
21 in *Mitel*'s list of factors that could support a *scènes à faire* defense, such as "software standards
22 and compatibility requirements, computer manufacturer design standards." *Mitel*, 124 F.3d at
23 1375. Like the standard programming conventions that dictated Mitel's command codes, evidence
24 regarding customers' demands and the rules set forth in Cisco's Parser Police manifesto similarly
25 support the jury's verdict that the compilation of multiword command expressions was "dictated
26 by considerations of efficiency," and "industry programming practices, and practices and demands
27 of the industry being serviced," factors recognized by the courts that can support a *scènes à faire*
28 defense. *See Oracle*, 750 F.3d at 1370; *Mitel*, 124 F.3d at 1375. Accordingly, the jury's *scènes à*

1 faire verdict is supported by the substantial evidence identified in the record and consistent with
2 case law.

3 The parties also dispute whether there is substantial evidence of scènes à faire directed to
4 other elements of Cisco's works: the selection and arrangement of Cisco's modes and prompts; the
5 collection of Cisco's screen responses and outputs; the collection of Cisco's help descriptions;
6 Cisco's user interfaces as a whole as compilations of the preceding elements. However, given that
7 the Court has already determined that there is substantial evidence on the selection and
8 arrangement of Cisco's command line expressions that a rational jury could rely on to support this
9 verdict, it is "simply not relevant" that some other evidence regarding other protectable elements
10 might potentially have supported a different verdict. *See Johnson*, 251 F.3d at 1227. As noted
11 above, the copyright infringement verdict only required a rational jury to find one of the listed
12 protectable elements to be original and infringed as long as the infringed portion is more than "de
13 minimis." Even if there were no substantial scènes à faire evidence with respect to the remaining
14 protectable elements, the substantial scènes à faire evidence with respect to the selection and
15 arrangement of the command line expressions could still support the verdict. Thus, the Court need
16 not determine whether there is substantial scènes à faire evidence on the remaining protectable
17 elements of Cisco's works.

18 **C. The Scènes à Faire Defense to Virtually Identical Copying**

19 As a separate ground for its motion, Cisco also argues that scènes à faire does not excuse
20 virtually identical copying. Mot. 22 (citing *Apple Computer, Inc. v. Microsoft Corp.*, 35 F.3d
21 1435, 1444 (9th Cir. 1994)). According to Cisco, the record and evidence show that the jury
22 necessarily found "virtually identical" copying. *Id.* at 23. Cisco then concludes that the scènes à
23 faire defense is foreclosed as a matter of law. *Id.* at 24.

24 Arista counters that Cisco forfeited this argument by failing to raise it under Rule 50(a).
25 Opp'n 21. Arista further argues that there is no support for the conclusion that the infringement
26 was necessarily based on "virtually identical" copying. *Id.* at 23-24. According to Arista, the jury
27 instruction on direct evidence of copying does not require a finding of "virtually identical"
28 copying and Cisco was actually opposed to incorporating the phrase, "virtual identity," into the

1 jury instruction on “direct evidence” of copying. *Id.* at 22. Arista also avers that the case law
2 cited by Cisco does not support the conclusion that “direct evidence” of copying is equivalent to
3 “virtually identical” copying or that the *scènes à faire* defense is inapplicable here. *Id.* at 23.

4 Because a post-verdict Rule 50(b) challenge is a renewed motion, it “is limited to the
5 grounds asserted in the pre-deliberation Rule 50(a) motion.” *E.E.O.C. v. Go Daddy Software, Inc.*,
6 581 F.3d 951, 961 (9th Cir. 2009). “Thus, a party cannot properly ‘raise arguments in its
7 post-trial motion for judgment as a matter of law under Rule 50(b) that it did not raise in its
8 preverdict Rule 50(a) motion.’” *Id.* (citation omitted).

9 The Court finds that Cisco forfeited this argument by not raising it under Rule 50(a). In its
10 50(a) motion, Cisco’s entire *scènes à faire* portion reads as follows:

11 For similar reasons, and based on similar evidence, no reasonable jury
12 could find that, at the time Cisco created its works, external factors other
13 than Cisco’s creativity “dictated” that Cisco select, arrange, organize and
14 design its original features in the manner it did, and thus Cisco is entitled
15 to judgment as a matter of law on Arista’s *scènes à faire* affirmative
16 defense. Jury Inst. 61. For example, Arista does not dispute that no
17 standard-setting organizations or customer preconceptions required Cisco
18 to design the expressions in its user interface as it did (e.g., Tr. 1963:5-8
19 (Ullal)); to the contrary, as Mr. Shafer of Juniper testified, the creative
20 process within Cisco was a “greenfield” or “open pasture,” without
21 constraints, at the time the user interfaces were created. Tr. 2060:17-
22 2061:3 (Shafer).

23 ECF 732 at 14:7-15. Nowhere in Cisco’s Rule 50(a) motion is there an argument that *scènes à*
24 *faire* is not a defense to “virtually identical” copying. Relying on *Antonick v. Elec. Arts, Inc.*,
25 Cisco argues that it was not obligated to “set forth every possible legal argument” in its Rule 50(a)
26 motion. Reply 14 (citing 841 F.3d 1062, 1068 (9th Cir. 2016)). However, this misstates the law.
27 While “Rule 50(b) ‘may be satisfied by an ambiguous or inartfully made motion,’” the argument
28 in some form still needs to be made. *See id.* (citing *Reeves v. Teuscher*, 881 F.2d 1495, 1498 (9th
Cir. 1989)). The plaintiff in *Antonick* argued that the 50(b) motion on whether there was
substantial evidence on similarity of the works as a whole should not have been considered
because the 50(a) motion only argued that the evidence was insufficient to show substantial
similarity between the two protectable elements of the code. 841 F.3d at 1067. The Ninth Circuit

1 rejected that argument because both motions argued that the failure to place source code in
2 evidence was fatal to the claim of copying. *Id.* at 1068.

3 In contrast to *Antonick*, the portion of Cisco's Rule 50(a) motion pertaining to scènes à
4 faire made no mention of "virtually identical" copying, let alone whether scènes à faire can be a
5 defense to "virtually identical" copying. The Rule 50(a) motion only argued that there were no
6 external factors that "required Cisco to design the expressions in its user interface as it did." As
7 such, the issue is not that the argument was inartfully or ambiguously made but that it was not
8 made at all.¹ The Court thus finds this argument waived and will not consider it as a ground in
9 support of Cisco's motion to amend the judgment.²

10 **III. ARISTA'S MOTION FOR JUDGMENT AS A MATTER OF LAW**

11 Although it prevailed at trial, Arista also filed a Rule 50(b) motion requesting judgment as
12 a matter of law that: (1) Cisco does not own any protectable original expression in the asserted
13 CLIs; and (2) Cisco has not proven any protectable compilation of CLI elements; (3) there is no
14 copyright infringement given the "thin" protection that applies to Cisco's works; (4) jury lacked
15 sufficient evidence to consider and compare the disputed works as a whole; (5) the user interfaces
16 are not copyrighted works separate from Cisco's complete registered operation systems; (6)
17 Arista's conduct is fair use; (7) Cisco abandoned its copyrights; (8) Cisco has misused its
18 copyrights; and (8) Arista is entitled to merger as a defense. Arista also moves for a new trial for
19 the same reasons under Rule 59. At the April 27, 2017 hearing, Arista agreed that, if the Court
20 denied Cisco's motion, Arista motion is moot. Accordingly, because the Court denies Cisco's

21
22 ¹ Had Cisco timely raised this issue at the jury instruction conference or at the 50(a) motion, the
Court could have considered providing a jury instruction on the matter.

23 ² The verdict form did not require the jury to identify whether they applied a "virtual identity"
24 standard to arrive at the copyright infringement verdict. Nor did it require them to specify whether
they relied on "direct" or "indirect" evidence in support of the verdict. While the instruction on
25 "indirect evidence" required the jury to find liability on a "virtual identity" standard, the
instructions on "direct evidence" of copying did not. Instr. Nos. 36, 38, 39. In order to render its
26 argument relevant, Cisco nonetheless assumes that the jury must have found "virtually identical"
copying even if they were to rely on "direct evidence." This assumption does not necessarily hold
27 true as the jury instruction on "direct evidence" of copying did not require application of such a
standard. As such, a reasonable jury could still find copyright infringement based on direct
28 evidence without applying the "virtual identity" standard. Accordingly, a scènes à faire defense
verdict would not be incorrect as a matter of law even if Cisco's argument that scènes à faire is not
a defense to "virtually identical" copying were to be legally correct.

1 motion, as set forth above in Section II, Arista's motions are moot.

2 **IV. ORDER**

3 For the foregoing reasons, IT IS HEREBY ORDERED that:

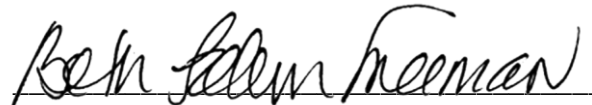
- 4 1. Cisco's motion for judgment as a matter of law is DENIED.
- 5 2. Arista's motion for judgment as a matter of law and conditional motion for new trial
- 6 are MOOT.

7

8 **IT IS SO ORDERED.**

9

10 Dated: May 10, 2017

11 

12 BETH LABSON FREEMAN

13 United States District Judge

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ADRMOP,AO279,APPEAL,CLOSED,RELATE

**U.S. District Court
California Northern District (San Jose)
CIVIL DOCKET FOR CASE #: 5:14-cv-05344-BLF
Internal Use Only**

Cisco Systems Inc-v-Arista Networks, Inc
Assigned to: Hon. Beth Labson Freeman
Referred to: Magistrate Judge Nathanael M. Cousins
Relate Case Case: [5:16-cv-00923-BLF](#)
Cause: 15:1126 Patent Infringement

Date Filed: 12/05/2014
Date Terminated: 12/19/2016
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff**Cisco Systems Inc**represented by **John M. Desmarais**

Desmarais LLP
230 Park Avenue
New York, NY 10169
212-351-3400
Email: jdesmarais@desmaraisllp.com
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Sean Sang-Chul Pak

Quinn Emanuel Urquhart & Sullivan, LLP
50 California, Floor 22
San Francisco, CA 94111
415-875-6320
Fax: 415-875-6700
Email: seanpak@quinnemanuel.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam R. Alper

Kirkland & Ellis LLP
555 California Street
San Francisco, CA 94104
415-439-1476
Fax: 415-439-1500
Email: aalper@kirkland.com
ATTORNEY TO BE NOTICED

Alan S. Kellman

Kirkland & Ellis LLP
Citigroup Center, 153 East 53rd Street
New York, NY 10022
212/446-4681
Fax: 212/446-4900
Email: akellman@desmaraisllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Amy H Candido

Quinn Emanuel et al LLP
50 California St 22FL
San Francisco, CA 94111-4624

I hereby certify that the annexed
instrument is a true and correct copy
of the original on file in my office.

ATTEST:**SUSAN Y. SOONG****Clerk, U.S. District Court
Northern District of California**

by *Susie F. Banera*
Deputy Clerk

Date: June 8, 2017

415-875-6600

Email: amycandido@quinnemanuel.com

ATTORNEY TO BE NOTICED

Andrew Michael Holmes

Quinn Emanuel Urquhart & Sullivan, LLP

50 California Street

22nd Floor

San Francisco, CA 94111

415-875-6600

Fax: 415-875-6700

Email: drewholmes@quinnemanuel.com

ATTORNEY TO BE NOTICED

Brian Paul Gearing

Morrison & Foerster LLP

Shin-Marunouchi Bldg. 29th Floor

1-5-1 Marunouchi

Chiyoda-ku

Tokyo 100-6529

Japan

81-3-3214-6522

Fax: 81-3-3214-6512

Email: brian.gearing@kirkland.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Brian Leary

Desmarais LLP

230 Park Avenue

New York, NY 10169

212-808-2978

Email: BLeary@desmaraisllp.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Carl Gunnar Anderson

Quinn Emanuel Urquhart & Sullivan, LLP

50 California Street, 22nd Floor

San Francisco, CA 94111

415-875-6600

Fax: 415-875-6700

Email: carlanderson@quinnemanuel.com

ATTORNEY TO BE NOTICED

David A. Nelson

Quinn Emanuel Urquhart & Sullivan, LLP

500 West Madison Street, Suite 2450

Chicago, IL 60661

(312)705-7400

Fax: (312)463-2961

Email: davenelson@quinnemanuel.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Jason L Liu

Quinn Emanuel Urquhart and Sullivan, LLP

50 California St. 22nd Floor

San Francisco, CA 94111

415-875-6434

Email: jasonliu@quinnemanuel.com

TERMINATED: 10/19/2016

John M. Neukom

Quinn Emanuel Urquhart & Sullivan, LLP

50 California Street

22nd Floor

San Francisco, CA 94111

415-875-6600

Fax: 415-875-6700

Email: johnneukom@quinnemanuel.com

ATTORNEY TO BE NOTICED

Jordan Ross Jaffe

Quinn Emanuel et al

555 Twin Dolphin Dr

5th Fl

Redwood Shores, CA 94065

650-801-5000

Email: jordanjaffe@quinnemanuel.com

ATTORNEY TO BE NOTICED

Joshua L Simmons ,

Kirkland and Ellis, LLP

601 Lexington Avenue

New York, NY 10169

212-446-4800

Fax:

Email: joshua.simmons@kirkland.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Kathleen Marie Sullivan

Quinn Emanuel Urquhart and Sullivan, LLP

51 Madison Ave

22d Floor

New York, NY 10022

212-849-7000

Email: kathleensullivan@quinnemanuel.com

ATTORNEY TO BE NOTICED

Kenneth K. Suh

Quinn Emanuel Urquhart Sullivan, LLP

500 West Madison

Suite 2450

Chicago, IL 60661

3127057454

Email: kennethsuh@quinnemanuel.com

ATTORNEY TO BE NOTICED

Lance L Yang

865 s. figueroa st

los angeles, ca 90017

213-443-3360

Email: lanceyang@quinnemanuel.com

ATTORNEY TO BE NOTICED

Mark Yeh-Kai Tung

Quinn Emanuel Urquhart & Sullivan LLP
555 Twin Dolphin Drive
5th Floor
Redwood Shores, CA 94065
650-801-5000
Email: marktung@quinnemanuel.com
ATTORNEY TO BE NOTICED

Matthew Cannon
1225 Monterey Ave
Berkeley, CA 94707
415-680-4057
Email: cannon.matthew.d@gmail.com
TERMINATED: 10/19/2016

Michael Woodrow De Vries
Kirkland & Ellis LLP
333 South Hope Street
29th Floor
Los Angeles, CA 90071
213-680-8590
Fax: 213-680-8500
Email: michael.devries@kirkland.com
ATTORNEY TO BE NOTICED

Michael Rothschild Rhodes , Rhode
Desmarais LLP
1st
230 Park Avenue, Desmarais LLP, 26th Floor
New York, NY 10169
212-808-2974
Email: mrrhodes@desmaraisllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Michael Allan Wueste
Kirkland Ellis, LLP
3330 Hillview Ave
Palo Alto, CA 94304
650-859-7306
Email: michael.wueste@kirkland.com
ATTORNEY TO BE NOTICED

Owen Roberts
Quinn Emanuel Urquhart and Sullivan LLP
51 Madison Ave.
22nd Floor
New York, NY 10010
212-849-7441
Email: owenroberts@quinnemanuel.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Paul A. Bondor
Desmarais LLP
230 Park Avenue
New York, NY 10169
212-351-3400
Fax: 212-351-3401

Email: pbondor@desmaraisllp.com

PRO HAC VICE

ATTORNEY TO BE NOTICED

Peter Allen Klivans

Quinn Emanuel Urquhart and Sullivan LLP

50 California Street, 22nd Floor

San Francisco, CA 94111-4788

415-875-6339

Fax: 415-875-6700

Email: peterklivans@quinnemanuel.com

ATTORNEY TO BE NOTICED

Phillip H. Warren

Covington & Burling LLP

1 Front Street

San Francisco, CA 94111

415-591-6000

Fax: 415-591-6091

Email: pwarren@cov.com

ATTORNEY TO BE NOTICED

Richard A. Feinstein

Boies, Schiller and Flexner

1401 New York Avenue, Nw

11th FL

Washington, DC 20005

United Sta

202-237-2727

Fax: 2022376131

Email: RFeinstein@bsfllp.com

ATTORNEY TO BE NOTICED

Sara E. Jenkins

Quinn Emanuel Urquhart & Sullivan, LLP

555 Twin Dolphin Dr.

5th Floor

Redwood Shores, CA 94065

650-801-5040

Fax: 650-801-5100

Email: sarajenkins@quinnemanuel.com

ATTORNEY TO BE NOTICED

Steven Carl Cherny

Quinn Emanuel Urquhart & Sullivan, LLP

51 Madison Ave.

22nd Floor

New York, NY 10010

(212) 849-7000

Fax: (212) 849-7100

Email: stevencherny@quinnemanuel.com

ATTORNEY TO BE NOTICED

Tamir Packin

Desmarais LLP

230 Park Avenue

New York, NY 10169

212-351-3400

Email: tpackin@desmaraisllp.com

PRO HAC VICE
ATTORNEY TO BE NOTICED

Todd Anten

Quinn Emanuel Urquhart and Sullivan, LLP
51 Madison Ave.
22nd Fl.
New York, NY 10010
212-849-7192
Email: toddanten@quinnemanuel.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Tom BenGera

Desmarais LLP
230 Park Avenue
26TH Floor
New York, NY 10169
(212) 351-3400
Email: tbengera@desmaraisllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

Arista Networks, Inc.

represented by **Ajay Krishnan**

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: akrishnan@keker.com
ATTORNEY TO BE NOTICED

Andrea Christina Nill Sanchez

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111
415-391-5400
Email: anillsanchez@keker.com
ATTORNEY TO BE NOTICED

Ashok Ramani

Keker Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: aramani@keker.com
ATTORNEY TO BE NOTICED

Bradley T Tennis

Wilson Sonsini Goodrich and Rosati
650 Page Mill Rd.
Palo Alto, CA 94304
650-849-3056
Email: btennis@wsgr.com
ATTORNEY TO BE NOTICED

Brian L. Ferrall

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: bferrall@keker.com
ATTORNEY TO BE NOTICED

Chul Pak

Wilson Sonsini Goodrich and Rosati
1301 Avenue of the Americas
40th Floor
New York, NY 10019
212-497-7726
Fax: 212-999-5899
Email: cpak@wsgr.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Reichenberg

Wilson Sonsini Goodrich & Rosati
1301 Avenue of the Americas
40th Floor
New York, NY 10019
212-999-5800
Email: dreichenberg@wsgr.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

David Justin Rosen

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111
415-391-5400
Fax: 415-397-7188
Email: drosen@keker.com
ATTORNEY TO BE NOTICED

David Jason Silbert

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
(415) 391-5400
Fax: (415) 397-7188
Email: dsilbert@keker.com
ATTORNEY TO BE NOTICED

Eduardo E. Santacana

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Email: esantacana@keker.com
ATTORNEY TO BE NOTICED

Elizabeth Katharine McCloskey

Keker Van Nest & Peters LLP

633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: emccloskey@keker.com
ATTORNEY TO BE NOTICED

Jonathan M. Jacobson
Wilson Sonsini Goodrich & Rosati
1301 Avenue of the America
40th Floor
New York, NY 10019
212-497-7758
Fax: 212-999-5899
Email: jjacobson@wsgr.com
ATTORNEY TO BE NOTICED

Juanita R. Brooks
Fish & Richardson P.C.
12390 El Camino Real
San Diego, CA 92130-2081
858/678-5070
Fax: (858) 678-5099
Email: brooks@fr.com
TERMINATED: 12/14/2016

Katherine M. Lloyd-Lovett
United States Attorney's Office
Northern District of California
450 Golden Gate Ave.
11th Floor
San Francisco, CA 94102
415-436-6821
Fax: 415-436-7027
Email: katherine.lloyd-lovett@usdoj.gov
TERMINATED: 10/08/2015

Kelly C. Hunsaker
Fish & Richardson PC
500 Arguello Street, Suite 500
Redwood City, CA 94063
(650) 839-5070
Fax: (650) 839-5071
Email: hunsaker@fr.com
TERMINATED: 12/14/2016

Lauren A Degnan
Fish & Richardson PC
901 15th ST NW
7th Floor
Washington, DC 20005
202-626-6392
Fax: 202-783-2331
Email: degnan@fr.com
ATTORNEY TO BE NOTICED

Matthew Douglas Powers
Tensegrity Law Group, LLP
555 Twin Dolphin Drive

Suite 650
Redwood Shores, CA 94065
650-802-6000
Fax: 650-802-6001
Email: matthew.powers@tensegritylawgroup.com
ATTORNEY TO BE NOTICED

Michael S Kwun

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: mkwun@keker.com
ATTORNEY TO BE NOTICED

Michael J. McKeon

Fish & Richardson P.C.
1425 K Street N.W., 11th Floor
Washington, DC 20005-3500
202-626-6448
Fax: 202-783-2331
Email: mckeon@fr.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Nicholas David Marais

Keker, Van Nest & Peters LLP
633 Battery St
San Francisco, CA 94111
415-391-5400
Fax: 415-397-7188
Email: NMarais@keker.com
ATTORNEY TO BE NOTICED

Robert Addy Van Nest

Keker, Van Nest & Peters LLP
633 Battery Street
San Francisco, CA 94111-1809
415-391-5400
Fax: 415-397-7188
Email: rvannest@keker.com
ATTORNEY TO BE NOTICED

Ruffin B. Cordell

Fish & Richardson P.C.
The McPherson Building
901 15th Street N.W., 7th Floor
Washington, DC 20005
262-626-6449
Fax: 202-783-2331
Email: cordell@fr.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Ryan K.M. Wong

Keker, Van Nest & Peters LLP
633 Battery Street
SF, CA 94111

415-391-5400
Fax: 415-397-7188
Email: rwong@keker.com
ATTORNEY TO BE NOTICED

Scott Andrew Sher
Wilson Sonsini Goodrich & Rosati
1700 K Street, NW
Fifth Floor
Washington, DC 20006
202-973-8800
Fax: 202-973-8899
Email: ssher@wsgr.com
ATTORNEY TO BE NOTICED

Susan Abouchar Creighton
Wilson Sonsini Goodrich Rosati
1700 K Street
Washington, DC 20006
202-973-8855
Email: lnorth@wsgr.com
ATTORNEY TO BE NOTICED

William Patrick Nelson
Tensegrity Law Group, LLP
555 Twin Dolphin Drive
Suite 650
Redwood Shores, CA 94065
650-802-6000
Fax: 650-802-6001
Email: william.nelson@tensegritylawgroup.com
ATTORNEY TO BE NOTICED

Interested Party

Juniper Networks, Inc.

represented by **Joshua Popik Glucoft**
Irell and Manella LLP
1800 Avenue of the Stars
Ste. 900
Los Angeles, CA 90067-4276
310-277-1010
Fax: 310-203-7199
Email: JGlucoft@irell.com
ATTORNEY TO BE NOTICED

Interested Party

Dell Inc.

represented by **Roderick Manley Thompson**
Farella Braun & Martel LLP
235 Montgomery Street
17th Floor
San Francisco, CA 94104
415-954-4400
Fax: 415-954-4480
Email: rthompson@fbm.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

12/05/2014	<u>1</u>	COMPLAINT against Arista Networks Inc. (Filing fee \$ 400, receipt number 0971-9121419.). Filed by Cisco Systems Inc. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4A, # <u>5</u> Exhibit 4B, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6A, # <u>8</u> Exhibit 6B, # <u>9</u> Exhibit 7A, # <u>10</u> Exhibit 7B, # <u>11</u> Exhibit 8A, # <u>12</u> Exhibit 8B, # <u>13</u> Exhibit 9A, # <u>14</u> Exhibit 9B, # <u>15</u> Exhibit 10, # <u>16</u> Exhibit 11, # <u>17</u> Exhibit 12, # <u>18</u> Exhibit 13, # <u>19</u> Exhibit 14, # <u>20</u> Exhibit 15, # <u>21</u> Exhibit 16, # <u>22</u> Exhibit 17, # <u>23</u> Exhibit 18, # <u>24</u> Exhibit 19, # <u>25</u> Exhibit 20, # <u>26</u> Exhibit 21, # <u>27</u> Exhibit 22, # <u>28</u> Exhibit 23, # <u>29</u> Exhibit 24, # <u>30</u> Exhibit 25, # <u>31</u> Exhibit 26, # <u>32</u> Exhibit 27, # <u>33</u> Exhibit 28, # <u>34</u> Exhibit 29, # <u>35</u> Exhibit 30, # <u>36</u> Civil Cover Sheet)(Pak, Sean) (Filed on 12/5/2014) Modified on 12/8/2014 (slhS, COURT STAFF). (Entered: 12/05/2014)
12/05/2014	<u>2</u>	Proposed Summons. (Pak, Sean) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>3</u>	Case assigned to Magistrate Judge Jacqueline Scott Corley. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (bwS, COURT STAFF) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>4</u>	MOTION for leave to appear in Pro Hac Vice <i>Steven Cherny</i> (Filing fee \$ 305, receipt number 0971-9122126.) filed by Cisco Systems Inc. (Attachments: # <u>1</u> Certificate of Good Standing)(Alper, Adam) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>5</u>	Proposed Summons. (Pak, Sean) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>6</u>	NOTICE of Appearance by John M. Neukom <i>on behalf of Cisco Systems, Inc.</i> (Neukom, John) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>7</u>	NOTICE of Appearance by Mark Yeh-Kai Tung <i>on behalf of Cisco Systems, Inc.</i> (Tung, Mark) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>8</u>	NOTICE of Appearance by Matthew Cannon <i>on behalf of Cisco Systems, Inc.</i> (Cannon, Matthew) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>9</u>	Certificate of Interested Entities by Cisco Systems Inc <i>Pursuant to to Civ. L.R. 3-15</i> (Pak, Sean) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>10</u>	NOTICE by Cisco Systems Inc <i>Cisco Systems, Inc.'s Disclosure Statement Pursuant to Fed.R. Civ. P.7.1</i> (Pak, Sean) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>11</u>	NOTICE of Appearance by Kathleen Marie Sullivan <i>on behalf of Cisco Systems, Inc.</i> (Sullivan, Kathleen) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/05/2014	<u>12</u>	NOTICE of Appearance by Michael Woodrow De Vries <i>on behalf of Cisco Systems, Inc.</i> (De Vries, Michael) (Filed on 12/5/2014) (Entered: 12/05/2014)
12/08/2014	<u>13</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 3/6/2015. Case Management Conference set for 3/13/2015 01:30 PM in Courtroom F, 15th Floor, San Francisco. (slhS, COURT STAFF) (Filed on 12/8/2014) (Entered: 12/08/2014)
12/08/2014	<u>14</u>	Summons Issued as to Arista Networks, Inc.. (slhS, COURT STAFF) (Filed on 12/8/2014) (Entered: 12/08/2014)
12/08/2014	<u>15</u>	REPORT on the filing of an action regarding patent infringement (cc: form mailed to register). (slhS, COURT STAFF) (Filed on 12/8/2014) (Entered: 12/08/2014)
12/08/2014	<u>16</u>	REPORT on the filing of an action regarding copyright infringement (cc: form mailed to register). (slhS, COURT STAFF) (Filed on 12/8/2014) (Entered: 12/08/2014)
12/09/2014	<u>17</u>	ORDER by Magistrate Judge Jacqueline Scott Corley granting <u>4</u> Motion for Pro Hac Vice as to Steven Cherny (ahm, COURT STAFF) (Filed on 12/9/2014) (Entered: 12/09/2014)












12/09/2014		(Court only) *** Attorney Steven Carl Cherny added for Cisco Systems Inc. (slhS, COURT STAFF) (Filed on 12/9/2014) (Entered: 12/10/2014)
12/16/2014	18	SUMMONS Returned Executed by Cisco Systems Inc. Arista Networks, Inc. served on 12/9/2014, answer due 12/30/2014. (Pak, Sean) (Filed on 12/16/2014) Modified on 12/17/2014 (slhS, COURT STAFF). (Entered: 12/16/2014)
12/18/2014	19	NOTICE of Appearance by Robert Addy Van Nest (Van Nest, Robert) (Filed on 12/18/2014) (Entered: 12/18/2014)
12/19/2014	20	NOTICE of Appearance by David Jason Silbert (Silbert, David) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/19/2014	21	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Cisco Systems Inc.. (Pak, Sean) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/19/2014	22	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge (ahm, COURT STAFF) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/19/2014	23	NOTICE of Appearance by Brian L. Ferrall (Ferrall, Brian) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/19/2014	24	NOTICE of Appearance by Michael S Kwun (Kwun, Michael) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/19/2014	25	ORDER, Case reassigned to Hon. Beth Labson Freeman. Magistrate Judge Jacqueline Scott Corley no longer assigned to the case.. Signed by Executive Committee on 12/19/14. (ha, COURT STAFF) (Filed on 12/19/2014) (Entered: 12/19/2014)
12/22/2014	26	NOTICE of Appearance by Juanita R. Brooks <i>for Arista Networks, Inc.</i> (Brooks, Juanita) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	27	NOTICE of Appearance by Kelly C. Hunsaker <i>for Arista Networks, Inc.</i> (Hunsaker, Kelly) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	28	MOTION for leave to appear in Pro Hac Vice <i>for Michael J. McKeon</i> (Filing fee \$ 305, receipt number 0971-9163242.) filed by Arista Networks, Inc.. (Hunsaker, Kelly) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	29	MOTION for leave to appear in Pro Hac Vice <i>for Lauren A. Degnan</i> (Filing fee \$ 305, receipt number 0971-9163379.) filed by Arista Networks, Inc.. (Hunsaker, Kelly) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	30	MOTION for leave to appear in Pro Hac Vice <i>for Ruffin B. Cordell</i> (Filing fee \$ 305, receipt number 0971-9163558.) filed by Arista Networks, Inc.. (Hunsaker, Kelly) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	31	ORDER by Judge Beth Labson Freeman granting 28 Motion for Pro Hac Vice. (blflc3S, COURT STAFF) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	32	ORDER by Judge Beth Labson Freeman granting 29 Motion for Pro Hac Vice. (blflc3S, COURT STAFF) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/22/2014	33	ORDER by Judge Beth Labson Freeman granting 30 Motion for Pro Hac Vice. (blflc3S, COURT STAFF) (Filed on 12/22/2014) (Entered: 12/22/2014)
12/23/2014	34	STIPULATION <i>TO EXTEND TIME TO RESPOND TO COMPLAINT</i> filed by Arista Networks, Inc.. (Silbert, David) (Filed on 12/23/2014) (Entered: 12/23/2014)
02/13/2015	35	Certificate of Interested Entities by Arista Networks, Inc. <i>and Federal Rule of Civil Procedure 7.1 Disclosure Statement</i> (Silbert, David) (Filed on 2/13/2015) (Entered: 02/13/2015)
02/13/2015	36	ANSWER to Complaint with Jury Demand by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 2/13/2015) (Entered: 02/13/2015)
03/06/2015	37	AMENDED COMPLAINT <i>FOR COPYRIGHT AND PATENT INFRINGEMENT</i> against Arista Networks, Inc.. Filed by Cisco Systems Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4A, # 5 Exhibit 4B, # 6 Exhibit 5, # 7 Exhibit 6A, # 8 Exhibit 6B, # 9 Exhibit 7A, # 10




		Exhibit 7B, # 11 Exhibit 8A, # 12 Exhibit 8B, # 13 Exhibit 9A, # 14 Exhibit 9B, # 15 Exhibit 10, # 16 Exhibit 11, # 17 Exhibit 12, # 18 Exhibit 13, # 19 Exhibit 14, # 20 Exhibit 15, # 21 Exhibit 16, # 22 Exhibit 17, # 23 Exhibit 18, # 24 Exhibit 19, # 25 Exhibit 20, # 26 Exhibit 21, # 27 Exhibit 22, # 28 Exhibit 23, # 29 Exhibit 24, # 30 Exhibit 25, # 31 Exhibit 26, # 32 Exhibit 27, # 33 Exhibit 28, # 34 Exhibit 29, # 35 Exhibit 30)(Pak, Sean) (Filed on 3/6/2015) (Entered: 03/06/2015)
03/18/2015	38	JOINT STIPULATION to Extend Time to Answer 37 Amended Complaint filed by Arista Networks, Inc. (Silbert, David) (Filed on 3/18/2015) Modified on 3/19/2015 (srmS, COURT STAFF). (Entered: 03/18/2015)
03/25/2015	39	MOTION to Dismiss <i>PURSUANT TO FED. R. CIV. P. 12(B)(6)</i> filed by Arista Networks, Inc.. Motion Hearing set for 7/2/2015 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 4/8/2015. Replies due by 4/15/2015. (Attachments: # 1 Proposed Order) (Silbert, David) (Filed on 3/25/2015) (Entered: 03/25/2015)
03/30/2015	40	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE. Case Management Statement due by 5/7/2015. Initial Case Management Conference set for 5/14/2015 01:30 PM in Courtroom 3, 5th Floor, San Jose before Judge Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 3/30/2015) (Entered: 03/30/2015)
04/08/2015	41	RESPONSE (re 39 MOTION to Dismiss <i>PURSUANT TO FED. R. CIV. P. 12(B)(6)</i>) <i>Cisco's Opposition to Arista's Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(B)(6)</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Matt Cannon in Support of Cisco's Opposition to Arista's Motion to Dismiss, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8)(Pak, Sean) (Filed on 4/8/2015) (Entered: 04/08/2015)
04/15/2015	42	REPLY (re 39 MOTION to Dismiss <i>PURSUANT TO FED. R. CIV. P. 12(B)(6)</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 4/15/2015) (Entered: 04/15/2015)
05/07/2015	43	JOINT CASE MANAGEMENT STATEMENT filed by Cisco Systems Inc. (Pak, Sean) (Filed on 5/7/2015) (Entered: 05/07/2015)
05/14/2015	44	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Initial Case Management Conference held on 5/14/2015.FTR Time: 1:44 - 2:32. Plaintiff Attorney: Sean Pak, John Neukom, Matthew Cannon, Neal Rubin, Leah Waterland. Defendant Attorney: David Silbert, Brian Ferrall. This is a text only Minute Entry (tsh, COURT STAFF) (Date Filed: 5/14/2015) (Entered: 05/15/2015)
05/14/2015	46	CASE MANAGEMENT ORDER re 44 Case Management Conference: Claims Construction Tutorial set for 01/29/2016 at 9:00 AM. Claims Construction Hearing set for 02/05/2016 at 9:00 AM. Last Day to Hear Dispositive Motions set for 05/05/2016 at 9:00 AM. Final Pretrial Conference set for 07/07/2016 at 2:30 PM. Jury Selection set for 08/01/2016 at 9:00 AM. Jury Trial set for 08/01/2016, 8/2/2016, 8/3/2016, 8/5/2016, 8/8/2016, 8/9/2016, 8/10/2016, 08/12/2016, 8/15/2016, 8/16/2016, 8/17/2016, and 8/19/2016 at 09:00 AM before Hon. Beth Labson Freeman. Signed by Judge Beth Labson Freeman on 05/14/2015. (tsh, COURT STAFF) (Filed on 5/14/2015) (Entered: 05/18/2015)
05/15/2015	45	TRANSCRIPT ORDER for 5/14/2015 CMC by Cisco Systems Inc for Court Reporter FTR - San Jose. (Pak, Sean) (Filed on 5/15/2015) (TRANSCRIBER: LEO MANKIEWICZ) Modified on 5/15/2015 (sms, COURT STAFF). (Entered: 05/15/2015)
05/19/2015	47	TRANSCRIPT ORDER for 5/14/15 CMC by Arista Networks, Inc. for Court Reporter FTR - San Jose. (Lovett, Katherine) (Filed on 5/19/2015) (TRANSCRIBER: LEO MANKIEWICZ) Modified on 5/19/2015 (sms, COURT STAFF). (Entered: 05/19/2015)
05/21/2015	48	STIPULATION <i>Regarding Electronic Discovery and Document Production Format</i> filed by Cisco Systems Inc. (Pak, Sean) (Filed on 5/21/2015) (Entered: 05/21/2015)
05/22/2015	 49	Transcript of Proceedings held on 05/14/2015, before Judge Beth Labson Freeman. Court Reporter/Transcriber Leo T. Mankiewicz, CSR, RMR, CRR, Telephone number (415) 722-7045; email: leomank@gmail.com. FTR 1:44 p.m. - 2:32 p.m. = 48 minutes. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request


		Redaction, if required, is due no later than 5 business days from date of this filing. Redaction Request due 6/12/2015. Redacted Transcript Deadline set for 6/22/2015. Release of Transcript Restriction set for 8/20/2015. (Mankiewicz, Leo) (Filed on 5/22/2015) (Entered: 05/22/2015)
05/22/2015		(Court only) TRANSCRIPT COPY DELIVERED (Mankiewicz, Leo) (Filed on 5/22/2015) (Entered: 05/22/2015)
05/29/2015	50	STIPULATION WITH PROPOSED ORDER <i>Regarding Schedule to Trial</i> filed by Cisco Systems Inc. (Pak, Sean) (Filed on 5/29/2015) (Entered: 05/29/2015)
06/01/2015	51	Order by Hon. Beth Labson Freeman granting 50 Stipulated Scheduling Order. (blflc3S, COURT STAFF) (Filed on 6/1/2015) (Entered: 06/01/2015)
06/25/2015	52	STIPULATION WITH PROPOSED ORDER <i>for Protective Order</i> filed by Cisco Systems Inc. (Pak, Sean) (Filed on 6/25/2015) (Entered: 06/25/2015)
06/26/2015	53	Order by Hon. Beth Labson Freeman granting 52 Stipulated Protective Order. (blflc3S, COURT STAFF) (Filed on 6/26/2015) (Entered: 06/26/2015)
07/02/2015	54	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 7/2/2015 re 39 MOTION to Dismiss <i>PURSUANT TO FED. R. CIV. P. 12(B)(6)</i> filed by Arista Networks, Inc.; GRANTING WITH LEAVE TO AMEND 39 Motion to Dismiss. Court Reporter Name: Summer Fisher, Time in Court: 9:02 - 9:40. Plaintiff Attorney: Kathleen Sullivan, Mark Tung, Matthew Cannon. Defendant Attorney: David Silbert, Elizabeth McCloskey. This is a text only Minute Entry (tsh, COURT STAFF) (Date Filed: 7/2/2015) (Entered: 07/02/2015)
07/02/2015	55	TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 7/2/2015) (Entered: 07/02/2015)
07/02/2015	56	TRANSCRIPT ORDER by Arista Networks, Inc. for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 7/2/2015) (Entered: 07/02/2015)
07/03/2015	 57	Transcript of Proceedings held on 07/02/2015, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, Telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerks Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 55 Transcript Order) Release of Transcript Restriction set for 10/1/2015. (Related documents(s) 55) (Fisher, Summer) (Filed on 7/3/2015) (Entered: 07/03/2015)
07/03/2015		(Court only) TRANSCRIPT COPY DELIVERED re 56 Transcript Order (Related documents(s) 56) (Fisher, Summer) (Filed on 7/3/2015) (Entered: 07/03/2015)
07/09/2015	58	ORDER GRANTING 39 DEFENDANT'S PARTIAL MOTION TO DISMISS, WITH LEAVE TO AMEND. Signed by Judge Beth Labson Freeman on 7/9/2015. (blflc1, COURT STAFF) (Filed on 7/9/2015) (Entered: 07/09/2015)
07/21/2015	59	NOTICE of Appearance by Ryan K.M. Wong (Wong, Ryan) (Filed on 7/21/2015) (Entered: 07/21/2015)
07/21/2015	60	NOTICE of Appearance by David Justin Rosen (Rosen, David) (Filed on 7/21/2015) (Entered: 07/21/2015)
07/21/2015	61	NOTICE of Appearance by Elizabeth Katharine McCloskey (McCloskey, Elizabeth) (Filed on 7/21/2015) (Entered: 07/21/2015)
07/21/2015	62	NOTICE of Appearance by Katherine Morag Lovett (Lovett, Katherine) (Filed on 7/21/2015) (Entered: 07/21/2015)
07/21/2015	63	NOTICE of Appearance by Ajay Krishnan (Krishnan, Ajay) (Filed on 7/21/2015) (Entered: 07/21/2015)
07/23/2015	64	AMENDED COMPLAINT (<i>SECOND</i>) against Arista Networks, Inc.. Filed by Cisco Systems Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4A, # 5 Exhibit 4B, # 6 Exhibit 5, # 7 Exhibit 6A, # 8 Exhibit 6B, # 9 Exhibit 7A, # 10 Exhibit 7B, # 11 Exhibit 8A, # 12 Exhibit 8B, #




		13 Exhibit 9A, # 14 Exhibit 9B, # 15 Exhibit 10, # 16 Exhibit 11, # 17 Exhibit 12, # 18 Exhibit 13, # 19 Exhibit 14, # 20 Exhibit 15, # 21 Exhibit 16, # 22 Exhibit 17, # 23 Exhibit 18, # 24 Exhibit 19, # 25 Exhibit 20, # 26 Exhibit 21, # 27 Exhibit 22, # 28 Exhibit 23, # 29 Exhibit 24, # 30 Exhibit 25, # 31 Exhibit 26, # 32 Exhibit 27, # 33 Exhibit 28, # 34 Exhibit 29, # 35 Exhibit 30)(Pak, Sean) (Filed on 7/23/2015) (Entered: 07/23/2015)
08/10/2015	65	ANSWER to Amended Complaint (<i>Second</i>) by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 8/10/2015) (Entered: 08/10/2015)
09/17/2015	66	MOTION to Compel <i>Interrogatory Responses</i> filed by Arista Networks, Inc.. Motion Hearing set for 10/27/2015 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Responses due by 10/1/2015. Replies due by 10/8/2015. (Ferrall, Brian) (Filed on 9/17/2015) (Entered: 09/17/2015)
09/17/2015	67	Declaration of Katherine Lloyd-Lovett in Support of 66 MOTION to Compel <i>Interrogatory Responses</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I)(Related document(s) 66) (Ferrall, Brian) (Filed on 9/17/2015) (Entered: 09/17/2015)
09/17/2015	68	Proposed Order re 66 MOTION to Compel <i>Interrogatory Responses</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 9/17/2015) (Entered: 09/17/2015)
09/18/2015	69	MOTION to Shorten Time <i>On Briefing And Hearing Schedule For Aristas Motion To Compel Interrogatory Responses</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration Elizabeth McCloskey in Support of Admin Motion to Shorten Time, # 2 Proposed Order Granting Admin Motion to Shorten Time)(Ferrall, Brian) (Filed on 9/18/2015) (Entered: 09/18/2015)
09/18/2015	70	CLAIM CONSTRUCTION STATEMENT filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit Ex. A: Cisco's Proposed Constructions, # 2 Exhibit Ex B: Arista's Proposed Constructions)(Rosen, David) (Filed on 9/18/2015) (Entered: 09/18/2015)
09/21/2015	71	NOTICE of Appearance by Peter Allen Klivans (Klivans, Peter) (Filed on 9/21/2015) (Entered: 09/21/2015)
09/22/2015	72	ORDER SETTING CASE MANAGEMENT CONFERENCE. Signed by Judge Beth Labson Freeman on 9/22/2015. (bflc3S, COURT STAFF) (Filed on 9/22/2015) (Entered: 09/22/2015)
09/22/2015	73	RESPONSE (re 69 MOTION to Shorten Time <i>On Briefing And Hearing Schedule For Aristas Motion To Compel Interrogatory Responses</i>) filed by Cisco Systems Inc. (Attachments: # 1 Declaration Declaration of Matt Cannon In Support of Opposition to Motion to Shorten Time, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4)(Neukom, John) (Filed on 9/22/2015) (Entered: 09/22/2015)
09/23/2015	74	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE. Case Management Conference set for 11/5/2015 02:00 PM in Courtroom 3, 5th Floor, San Jose. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (tsh, COURT STAFF) (Filed on 9/23/2015) (Entered: 09/23/2015)
09/23/2015	75	ORDER GRANTING-IN-PART MOTION TO SHORTEN TIME by Magistrate Judge Paul Singh Grewal granting-in-part and denying-in-part 69 . (psglc1S, COURT STAFF) (Filed on 9/23/2015) (Entered: 09/23/2015)
09/23/2015		(Court only) ***Advancing Hearing/Deadline as to 66 MOTION to Compel Interrogatory Responses: 10/27/2015 Motion Hearing is advanced to 9/29/2015 at 1:30 PM (SPECIAL SET) in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Any opposition to be submitted no later than 9/28/2015 by 12:00 PM. No reply shall be filed. Pursuant to ECF No. 75 . (ofr, COURT STAFF) (Filed on 9/23/2015) (Entered: 09/23/2015)
09/28/2015	 76	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Cisco's Administrative Motion to Seal, # 2 Proposed Order, # 3 Cisco's Opposition to Arista's Motion to Compel (Unredacted), # 4 Cisco's Opposition to Arista's Motion to Compel (Redacted), # 5 Exhibit 4 (Unredacted), # 6 Exhibit 4 (Redacted), # 7 Exhibit 5 (Unredacted), # 8 Exhibit 5 (Redacted), # 9 Exhibit 6 (Unredacted), # 10 Exhibit 6 (Redacted)) (Neukom, John) (Filed on 9/28/2015) (Entered: 09/28/2015)



09/28/2015	77	RESPONSE (re 66 MOTION to Compel <i>Interrogatory Responses</i>) filed byCisco Systems Inc. (Attachments: # 1 Declaration of Phillip Remaker, # 2 Declaration of Matthew D. Cannon, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4 (Redacted), # 7 Exhibit 5 (Redacted), # 8 Exhibit 6 (Redacted), # 9 Exhibit 7, # 10 Exhibit 8, # 11 Exhibit 9, # 12 Exhibit 10, # 13 Exhibit 11, # 14 Exhibit 12, # 15 Exhibit 13)(Neukom, John) (Filed on 9/28/2015) (Entered: 09/28/2015)
09/28/2015	78	CERTIFICATE OF SERVICE by Cisco Systems Inc re 76 Administrative Motion to File Under Seal (Neukom, John) (Filed on 9/28/2015) (Entered: 09/28/2015)
09/29/2015	79	Minute Entry for proceedings held before Magistrate Judge Paul Singh Grewal: Motion Hearing held on 9/29/2015 re 66 MOTION to Compel Interrogatory Responses: The court takes matter under submission; written order to be issued. Court Reporter: Summer Fisher. Time in Court: 2:03 to 2:55. Plaintiff Attorney(s) present: John Neukom and Matthew Cannon. Defendant Attorney(s) present: Brian Ferrall, David Silbert and Katherine Lovett. This is a text only Minute Entry. (ofr, COURT STAFF) (Date Filed: 9/29/2015) (Entered: 09/29/2015)
09/29/2015	80	TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Summer Fisher. (Neukom, John) (Filed on 9/29/2015) (Entered: 09/29/2015)
09/30/2015	81	TRANSCRIPT ORDER by Arista Networks, Inc. for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 9/30/2015) (Entered: 09/30/2015)
09/30/2015	 82	Transcript of Proceedings held on 09/29/2015, before Judge Paul S. Grewal. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 80 Transcript Order) Release of Transcript Restriction set for 12/29/2015. (Related documents(s) 80) (Fisher, Summer) (Filed on 9/30/2015) (Entered: 09/30/2015)
09/30/2015		(Court only) TRANSCRIPT COPY DELIVERED re 81 Transcript Order (Related documents(s) 81) (Fisher, Summer) (Filed on 9/30/2015) (Entered: 09/30/2015)
09/30/2015	83	ORDER GRANTING MOTION TO COMPEL by Magistrate Judge Paul Singh Grewal granting 66 . (psglc1S, COURT STAFF) (Filed on 9/30/2015) (Entered: 09/30/2015)
10/02/2015	84	Declaration of Ryan K. Wong in Support of 76 Administrative Motion to File Under Seal (<i>Per Civil Local Rule 79-5(E)</i>) filed byArista Networks, Inc.. (Related document(s) 76) (Wong, Ryan) (Filed on 10/2/2015) (Entered: 10/02/2015)
10/06/2015	85	CLERK'S NOTICE RESETTING TIME OF FINAL PRETRIAL CONFERENCE. Final Pretrial Conference set for 7/07/2016 at 01:30 PM. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (tsh, COURT STAFF) (Filed on 10/6/2015) (Entered: 10/06/2015)
10/07/2015	86	ORDER GRANTING-IN-PART MOTION TO SEAL by Magistrate Judge Paul Singh Grewal granting-in-part and denying-in-part 76 . (psglc1S, COURT STAFF) (Filed on 10/7/2015) (Entered: 10/07/2015)
10/08/2015	87	Brief re 86 Order on Administrative Motion to File Under Seal <i>Cisco's Opposition to Arista's Motion to Compel Interrogatory Responses [Redacted]</i> filed byCisco Systems Inc. (Related document(s) 86) (Neukom, John) (Filed on 10/8/2015) (Entered: 10/08/2015)
10/08/2015	88	EXHIBITS re 86 Order on Administrative Motion to File Under Seal <i>Exhibit 5 to the Declaration of Matthew D. Cannon in Support of Cisco's Opposition to Arista's Motion to Compel Interrogatory Responses</i> filed byCisco Systems Inc. (Related document(s) 86) (Neukom, John) (Filed on 10/8/2015) (Entered: 10/08/2015)
10/08/2015	89	NOTICE of Appearance by Eduardo Enrique Santacana (Santacana, Eduardo) (Filed on 10/8/2015) (Entered: 10/08/2015)
10/08/2015	90	NOTICE by Arista Networks, Inc. <i>Notice of Withdrawal</i> (Ferrall, Brian) (Filed on 10/8/2015) (Entered: 10/08/2015)


11/02/2015	91	CLAIM CONSTRUCTION STATEMENT (<i>Opening Claim Construction Brief</i>) filed by Cisco Systems Inc. (Attachments: # 1 Declaration Declaration of Kevin C. Almeroth, # 2 Declaration Declaration of Kenneth K. Suh, # 3 Exhibit Exhibit 1 to Suh Declaration, # 4 Exhibit Exhibit 2 to Suh Declaration, # 5 Exhibit Exhibit 3 to Suh Declaration, # 6 Exhibit Exhibit 4 to Suh Declaration, # 7 Exhibit Exhibit 5 to Suh Declaration, # 8 Exhibit Exhibit 6 to Suh Declaration, # 9 Exhibit Exhibit 7 to Suh Declaration, # 10 Exhibit Exhibit 8 to Suh Declaration)(Pak, Sean) (Filed on 11/2/2015) (Entered: 11/02/2015)
11/04/2015	 92	Administrative Motion to File Under Seal <i>Re Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A, # 3 Exhibit B, # 4 Proposed Order)(Ferrall, Brian) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/04/2015	93	MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review filed by Arista Networks, Inc.. Motion Hearing set for 2/18/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 11/18/2015. Replies due by 11/25/2015. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Proposed Order)(Ferrall, Brian) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/04/2015	94	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 92 Administrative Motion to File Under Seal <i>Re Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review</i> (Ferrall, Brian) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/04/2015	95	JOINT CASE MANAGEMENT STATEMENT filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A)(Van Nest, Robert) (Filed on 11/4/2015) (Entered: 11/04/2015)
11/05/2015	96	NOTICE of Appearance by Kenneth K. Suh (Suh, Kenneth) (Filed on 11/5/2015) (Entered: 11/05/2015)
11/05/2015	97	*** FILED IN ERROR. REFER TO DOCUMENT 98 . *** TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Raynee Mercado. (Pak, Sean) (Filed on 11/5/2015) Modified on 11/6/2015 (fff, COURT STAFF). (Entered: 11/05/2015)
11/05/2015	98	TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Raynee Mercado. (Pak, Sean) (Filed on 11/5/2015) (Entered: 11/05/2015)
11/05/2015	99	TRANSCRIPT ORDER by Arista Networks, Inc. for Court Reporter Raynee Mercado. (McCloskey, Elizabeth) (Filed on 11/5/2015) (Entered: 11/05/2015)
11/05/2015	100	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Case Management Conference held on 11/5/2015.Court Reporter Name: Raynee Mercado. Plaintiff Attorney: John Neukom, Matthew Cannon, Leah Waterland, Sean Pak. Defendant Attorney: Ajay Krishman, Robert Van Nest. This is a text only Minute Entry (tsh, COURT STAFF) (Date Filed: 11/5/2015) (Entered: 11/06/2015)
11/05/2015	101	CASE MANAGEMENT ORDER re 10 Case Management Conference - Further,All previously set dates remain unchanged. Signed by Judge Beth Labson Freeman on 11/05/2015. (tsh, COURT STAFF) (Filed on 11/5/2015) (Entered: 11/06/2015)
11/09/2015	102	NOTICE of Appearance by Jason L Liu <i>for Plaintiff Cisco Systems, Inc.</i> (Liu, Jason) (Filed on 11/9/2015) (Entered: 11/09/2015)
11/09/2015	103	DECLARATION of Matthew D. Cannon in Opposition to 92 Administrative Motion to File Under Seal <i>Re Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review</i> filed byCisco Systems Inc. (Related document(s) 92) (Cannon, Matthew) (Filed on 11/9/2015) (Entered: 11/09/2015)
11/10/2015	104	NOTICE of Appearance by Scott Andrew Sher (Sher, Scott) (Filed on 11/10/2015) (Entered: 11/10/2015)
11/10/2015	105	NOTICE of Appearance by Susan Abouchar Creighton (Creighton, Susan) (Filed on 11/10/2015) (Entered: 11/10/2015)
11/12/2015	 106	Transcript of Proceedings held on November 5, 2015, before Judge Beth Labson Freeman. Court Reporter Raynee H. Mercado, CSR, telephone number 510-502-6175, cacs8258@gmail.com, raynee_mercado@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the




		Court Reporter/ until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 99 Transcript Order, 98 Transcript Order) Release of Transcript Restriction set for 2/10/2016. (Related document(s) 99 , 98) (rhm) (Filed on 11/12/2015) (Entered: 11/12/2015)
11/12/2015	 107	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo Santacana, # 2 Proposed Order, # 3 Redacted Version of Arista's Proposed Discovery Plan, # 4 Unredacted Version of Arista's Proposed Discovery Plan, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit H)(Ferrall, Brian) (Filed on 11/12/2015) (Entered: 11/12/2015)
11/12/2015	108	Defendant Arista's Proposed discovery Plan. Statement re 93 MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review : <i>Proposed Discovery Plan</i> by Arista Networks, Inc.. (Attachments: # 1 Proposed Order Modifying Discovery Limits, # 2 Declaration of Elizabeth K. McCloskey ISO Aristas Proposed Discovery Plan, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I)(Ferrall, Brian) (Filed on 11/12/2015) Modified text to match caption on 11/13/2015 (srnS, COURT STAFF). (Entered: 11/12/2015)
11/12/2015	109	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 107 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 11/12/2015) (Entered: 11/12/2015)
11/13/2015	110	ORDER DENYING 92 DEFENDANT'S MOTION TO FILE DOCUMENTS UNDER SEAL. Signed by Judge Beth Labson Freeman on 11/13/2015. (blflc3S, COURT STAFF) (Filed on 11/13/2015) (Entered: 11/13/2015)
11/16/2015	111	Declaration of Matthew D. Cannon in Support of 107 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 107) (Cannon, Matthew) (Filed on 11/16/2015) (Entered: 11/16/2015)
11/17/2015	112	EXHIBITS re 93 MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review - <i>Notice of Public Filing</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Related document(s) 93) (Ferrall, Brian) (Filed on 11/17/2015) (Entered: 11/17/2015)
11/18/2015	 113	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Mark Tung in Support of Motion to Seal, # 2 Redacted Version of Cisco's Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review, # 3 Unredacted Version of Cisco's Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review, # 4 Exhibit 6 - Redacted, # 5 Exhibit 6 - Unredacted, # 6 Exhibit 8 - Redacted, # 7 Exhibit 8 - Unredacted, # 8 Proposed Order Granting Motion to Seal)(Neukom, John) (Filed on 11/18/2015) (Entered: 11/18/2015)
11/18/2015	114	RESPONSE (re 93 MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review) <i>Cisco's Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review [Redacted]</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Mark Tung in Support of Cisco's Opposition to Arista's Motion to Amend Scheduling Order, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22)(Neukom, John) (Filed on 11/18/2015) (Entered: 11/18/2015)
11/18/2015	115	CERTIFICATE OF SERVICE by Cisco Systems Inc re 113 Administrative Motion to File Under Seal (Neukom, John) (Filed on 11/18/2015) (Entered: 11/18/2015)
11/19/2015	 116	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Mark Tung in Support of Motion to Seal, # 2 Redacted Version of Cisco's Amended Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review, # 3 Unredacted Version of Cisco's Amended Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review, # 4 Proposed Order Granting Cisco's Administrative Motion to File under Seal)(Neukom, John) (Filed on 11/19/2015) (Entered: 11/19/2015)




11/19/2015	117	RESPONSE (re 93 MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review) <i>Cisco's Amended Opposition to Arista's Motion to Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review [Redacted]</i> filed by Cisco Systems Inc. (Neukom, John) (Filed on 11/19/2015) (Entered: 11/19/2015)
11/20/2015	118	CERTIFICATE OF SERVICE by Cisco Systems Inc re 116 Administrative Motion to File Under Seal (Neukom, John) (Filed on 11/20/2015) (Entered: 11/20/2015)
11/20/2015	119	MOTION for leave to appear in Pro Hac Vice of <i>Joshua Simmons</i> (Filing fee \$ 305, receipt number 0971-10008217.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Alper, Adam) (Filed on 11/20/2015) (Entered: 11/20/2015)
11/20/2015	120	ORDER GRANTING 119 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 11/20/2015. (blflc3S, COURT STAFF) (Filed on 11/20/2015) (Entered: 11/20/2015)
11/23/2015	121	Declaration of Eduardo E. Santacana in Support of 113 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Related document(s) 113) (Santacana, Eduardo) (Filed on 11/23/2015) (Entered: 11/23/2015)
11/23/2015	122	Declaration of Eduardo E. Santacana in Support of 116 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Related document(s) 116) (Santacana, Eduardo) (Filed on 11/23/2015) (Entered: 11/23/2015)
11/24/2015	123	ORDER GRANTING 107 DEFENDANT'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL. Signed by Judge Beth Labson Freeman on 11/24/2015. (blflc3S, COURT STAFF) (Filed on 11/24/2015) (Entered: 11/24/2015)
11/24/2015	124	ORDER GRANTING 113 , 116 PLAINTIFF'S MOTION TO FILE UNDER SEAL CONFIDENTIAL INFORMATION IN OPPOSITION TO DEFENDANT'S MOTION TO AMEND SCHEDULING ORDER OR, ALTERNATIVELY, TO STAY PATENT CLAIMS PENDING INTER PARTES REVIEW. Signed by Judge Beth Labson Freeman on 11/24/2015. (blflc3S, COURT STAFF) (Filed on 11/24/2015) (Entered: 11/24/2015)
11/24/2015	125	CLERK'S NOTICE SETTING CASE MANAGEMENT CONFERENCE. Case Management Conference set for 12/03/2015 at 2:00 PM. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (tsh, COURT STAFF) (Filed on 11/24/2015) (Entered: 11/24/2015)
11/25/2015	 126	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Proposed Order, # 2 Exhibit A - Under Seal, # 3 Redacted Version of Reply in Support of Motion to Amend Scheduling Order, # 4 Unredacted Version of Reply in Support of Motion to Amend Scheduling Order) (Ferrall, Brian) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	127	REPLY (re 93 MOTION Amend Scheduling Order or, Alternatively, to Stay Patent Claims Pending Inter Partes Review) filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A, # 3 Exhibit B)(Ferrall, Brian) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	128	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 126 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/25/2015	129	Declaration of Eduardo E. Santacana in Support of 126 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Related document(s) 126) (Ferrall, Brian) (Filed on 11/25/2015) (Entered: 11/25/2015)
11/30/2015	130	Declaration of Matthew D. Cannon in Support of 126 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 126) (Cannon, Matthew) (Filed on 11/30/2015) (Entered: 11/30/2015)
12/02/2015	131	ORDER GRANTING IN PART AND DENYING IN PART 126 DEFENDANT'S MOTION TO FILE DOCUMENTS UNDER SEAL. Signed by Judge Beth Labson Freeman on 12/1/2015. (blflc3S, COURT STAFF) (Filed on 12/2/2015) (Entered: 12/02/2015)
12/03/2015	132	CASE MANAGEMENT ORDER 93 . Signed by Judge Beth Labson Freeman on 12/3/2015. (blflc3S, COURT STAFF) (Filed on 12/3/2015) (Entered: 12/03/2015)

12/03/2015	134	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Further Case Management Conference held on 12/3/2015. FTR Time: 2:01 - 3:16. Plaintiff Attorney: Sean Pak, John Neukom, Matthew Cannon. Defendant Attorney: Robert Van Nest, Brian Ferrall. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 12/3/2015) (Entered: 12/04/2015)
12/04/2015	133	***FILED IN ERROR - DISREGARD*** TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 12/4/2015) Modified on 12/7/2015 (sp, COURT STAFF). Modified on 12/7/2015 (sp, COURT STAFF). Modified on 12/7/2015 (sp, COURT STAFF). (Entered: 12/04/2015)
12/04/2015	135	***FILED IN ERROR - See correct doc #138*** TRANSCRIPT ORDER by Arista Networks, Inc. for Court Reporter Summer Fisher. (Wong, Ryan) (Filed on 12/4/2015) Modified on 12/7/2015 (sp, COURT STAFF). Modified on 12/7/2015 (sp, COURT STAFF). (Entered: 12/04/2015)
12/04/2015	136	Letter from Sean Pak <i>regarding Case Management Order (Dkt. 132)</i> . (Attachments: # 1 Proposed Order Clarifying Case Management Order (Dkt. 132))(Pak, Sean) (Filed on 12/4/2015) (Entered: 12/04/2015)
12/04/2015	137	CORRECTED CASE MANAGEMENT ORDER 93 . Signed by Judge Beth Labson Freeman on 12/3/2015. (blf1c3S, COURT STAFF) (Filed on 12/4/2015) (Entered: 12/04/2015)
12/07/2015	138	TRANSCRIPT ORDER for 2/3/2015 by Arista Networks, Inc. for Court Reporter FTR - San Jose. TRANSCRIBER: EchoReporting. (Wong, Ryan) (Filed on 12/7/2015) Modified on 12/7/2015 (sp, COURT STAFF). (Entered: 12/07/2015)
12/07/2015		(Court only) Set/Reset Deadlines:, Set/Reset Hearing re 137 Corrected Case Management Order. Case Management Statement due by 1/21/2016. Further Case Management Conference set for 1/28/2016 11:00 AM. Claims Construction Tutorial set for 03/11/2016 at 9:00 AM. Claims Construction Hearing set for 3/18/2016 09:00 AM. Last Day to Hear Dispositive Motions set for 08/04/2016 at 9:00 AM. Final Pretrial Conference set for 11/3/2016 01:30 PM. Jury Selection set for 11/18/2016 and 11/21/2016 at 09:00 AM before Hon. Beth Labson Freeman. Jury Trial set for 11/21/2016, 11/22/2016, 11/23/2016, 11/28/2016, 11/29/2016, 11/30/2016, 12/2/2016, 12/5/2016 09:00, 12/6/2016, 12/7/2016 and 12/9/2016 09:00 AM before Hon. Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015		(Court only) ***Transcript orders 133 and 135 Deadlines terminated. (sp, COURT STAFF) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	139	TRANSCRIPT ORDER for 12/3/2015 by Cisco Systems Inc for Court Reporter FTR - San Jose. TRANSCRIBER: Echo Reporting. (Pak, Sean) (Filed on 12/7/2015) Modified on 12/7/2015 (sp, COURT STAFF). (Entered: 12/07/2015)
12/07/2015	140	NOTICE by Arista Networks, Inc. re 127 Reply to Opposition/Response, <i>RE PUBLIC FILING</i> (Attachments: # 1 Reply in Support of Motion to Amend Scheduling Order - Public Version, # 2 Exhibit A to Declaration of Eduardo E. Santacana)(Ferrall, Brian) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	 141	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of David J. Rosen, # 2 Proposed Order, # 3 Redacted Version of Arista's Responsive Claim Construction Brief, # 4 Unredacted Version of Arista's Responsive Claim Construction Brief, # 5 Exhibit 1 - Under Seal, # 6 Exhibit 2 - Under Seal, # 7 Exhibit 9 - Under Seal)(Van Nest, Robert) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	142	RESPONSE to re 91 Claim Construction Statement,, by Arista Networks, Inc.. (Attachments: # 1 Declaration of David J. Rosen, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11)(Van Nest, Robert) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	143	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 141 Administrative Motion to File Under Seal (Van Nest, Robert) (Filed on 12/7/2015) (Entered: 12/07/2015)
12/07/2015	144	MOTION to Strike <i>Declaration of Kevin Almeroth</i> filed by Arista Networks, Inc.. Motion Hearing set for 3/18/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 12/21/2015. Replies due by 12/28/2015. (Attachments: # 1 Proposed Order Granting Motion to Strike)(Van Nest, Robert) (Filed on 12/7/2015) (Entered: 12/07/2015)

12/11/2015	 145	Transcript of Proceedings of the official sound recording held on 12/03/15, before Judge Beth Labson Freeman. FTR/Transcriber Echo Reporting, Inc., telephone number (858) 453-7590.;echoreporting@yahoo.com. Tape Number: FTR 2:01 - 3:16. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 138 Transcript Order) Redaction Request due 1/4/2016. Redacted Transcript Deadline set for 1/11/2016. Release of Transcript Restriction set for 3/8/2016. (Related documents(s) 138) (tgb, COURT STAFF) (Filed on 12/11/2015) (Entered: 12/11/2015)
12/11/2015		(Court only) TRANSCRIPT COPY DELIVERED re 139 Transcript Order (Related documents(s) 139) (tgb, COURT STAFF) (Filed on 12/11/2015) (Entered: 12/11/2015)
12/11/2015	146	Joint MOTION to Amend/Correct <i>Joint Stipulated Motion for Leave to Amend Infringement and Invalidity Contentions</i> filed by Cisco Systems Inc. Responses due by 12/28/2015. Replies due by 1/4/2016. (Attachments: # 1 Proposed Order)(Tung, Mark) (Filed on 12/11/2015) (Entered: 12/11/2015)
12/11/2015	147	ORDER GRANTING 146 JOINT STIPULATED MOTION FOR LEAVE TO AMEND INFRINGEMENT AND INVALIDITY CONTENTIONS. Signed by Judge Beth Labson Freeman on 12/11/2015. (blflc3S, COURT STAFF) (Filed on 12/11/2015) (Entered: 12/11/2015)
12/11/2015	148	Declaration of Kenneth K. Suh in Support of 141 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 141) (Suh, Kenneth) (Filed on 12/11/2015) (Entered: 12/11/2015)
12/14/2015	149	ORDER GRANTING IN PART AND DENYING IN PART 141 DEFENDANT'S MOTION TO FILE DOCUMENTS UNDER SEAL. Signed by Judge Beth Labson Freeman on 12/14/2015. (blflc3S, COURT STAFF) (Filed on 12/14/2015) (Entered: 12/14/2015)
12/17/2015	150	Docketed in Error; Please see document number 151 for correction. NOTICE by Arista Networks, Inc. re 142 Response (Non Motion), (Attachments: # 1 Arista's Responsive Claim Construction Brief (Redacted Public Version), # 2 Exhibit 1 to Declaration of David J. Rosen, # 3 Exhibit 2 to Declaration of David J. Rosen, # 4 Exhibit 9 to Declaration of David J. Rosen)(Van Nest, Robert) (Filed on 12/17/2015) Modified on 12/22/2015 (srnS, COURT STAFF). (Entered: 12/17/2015)
12/17/2015	151	NOTICE by Arista Networks, Inc. re 142 Response (Non Motion), <i>CORRECTION OF 150</i> (Attachments: # 1 Arista's Responsive Claim Construction Brief (Redacted Public Version), # 2 Exhibit 1 to Declaration of David J. Rosen, # 3 Exhibit 2 to Declaration of David J. Rosen, # 4 Exhibit 9 to Declaration of David J. Rosen)(Rosen, David) (Filed on 12/17/2015) Modified on 12/22/2015 (srnS, COURT STAFF). (Entered: 12/17/2015)
12/21/2015	152	RESPONSE to re 142 Response (Non Motion), <i>Reply Claim Construction Brief</i> by Cisco Systems Inc. (Attachments: # 1 Declaration Declaration of Mark Tung in Support of Cisco's Reply Claim Construction Brief, # 2 Exhibit Exhibit 9 to Declaration of Mark Tung, # 3 Exhibit Exhibit 10 to Declaration of Mark Tung)(Pak, Sean) (Filed on 12/21/2015) (Entered: 12/21/2015)
12/21/2015	153	RESPONSE (re 144 MOTION to Strike <i>Declaration of Kevin Almeroth</i>) filed by Cisco Systems Inc. (Pak, Sean) (Filed on 12/21/2015) (Entered: 12/21/2015)
12/28/2015	154	REPLY (re 144 MOTION to Strike <i>Declaration of Kevin Almeroth</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/28/2015) (Entered: 12/28/2015)
01/08/2016	155	CLAIM CONSTRUCTION STATEMENT <i>Joint Claim Construction Chart</i> filed by Cisco Systems Inc. (Tung, Mark) (Filed on 1/8/2016) (Entered: 01/08/2016)
01/14/2016	156	STIPULATION WITH PROPOSED ORDER <i>AMENDING SCHEDULING ORDER</i> filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 1/14/2016) (Entered: 01/14/2016)
01/15/2016	157	NOTICE of Appearance by Amy H Candido (Candido, Amy) (Filed on 1/15/2016) (Entered: 01/15/2016)
01/15/2016	158	ORDER REGARDING 156 JOINT STIPULATION AMENDING SCHEDULING ORDER. Signed by Judge Beth Labson Freeman on 1/15/2016. (blflc3S, COURT STAFF) (Filed on




		1/15/2016) (Entered: 01/15/2016)
01/16/2016		Set Daubert Hearing re 158 Order on Stipulation. Daubert Hearing set for 9/9/2016 09:00 AM before Hon. Beth Labson Freeman. (tsh, COURT STAFF) (Filed on 1/16/2016) (Entered: 01/16/2016)
01/19/2016	159	STIPULATION WITH PROPOSED ORDER <i>JOINT STIPULATION AMENDING SCHEDULING ORDER</i> filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 1/19/2016) (Entered: 01/19/2016)
01/20/2016	160	ORDER GRANTING 159 JOINT STIPULATION AMENDING SCHEDULING ORDER. Signed by Judge Beth Labson Freeman on 1/20/2016. (blflc3S, COURT STAFF) (Filed on 1/20/2016) (Entered: 01/20/2016)
01/23/2016	161	JOINT CASE MANAGEMENT STATEMENT filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F)(Ferrall, Brian) (Filed on 1/23/2016) (Entered: 01/23/2016)
01/25/2016	 162	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration OF DAVID SILBERT IN SUPPORT OF ARISTA'S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL, # 2 Proposed Order, # 3 [REDACTED] MOTION FOR LEAVE TO AMEND RESPONSE AND COUNTERCLAIMS, # 4 [REDACTED] EXHIBIT 1 (RESPONSE AND COUNTERCLAIMS), # 5 [SEALED] MOTION FOR LEAVE TO AMEND RESPONSE AND COUNTERCLAIMS, # 6 [SEALED] EXHIBIT 1 (RESPONSE AND COUNTERCLAIMS))(Van Nest, Robert) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/25/2016	163	MOTION for Leave to File <i>RESPONSE AND COUNTERCLAIMS</i> filed by Arista Networks, Inc.. (Attachments: # 1 [REDACTED] EXHIBIT 1 (RESPONSE AND COUNTERCLAIMS), # 2 Declaration OF EDUARDO SANTACANA IN SUPPORT OF MOTION FOR LEAVE TO AMEND RESPONSE TO ADD COUNTERCLAIMS, # 3 Proposed Order)(Van Nest, Robert) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/25/2016	164	NOTICE of Appearance by Ashok Ramani (Ramani, Ashok) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/25/2016	165	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 162 Administrative Motion to File Under Seal (Van Nest, Robert) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/25/2016	166	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 162 Administrative Motion to File Under Seal (Van Nest, Robert) (Filed on 1/25/2016) (Entered: 01/25/2016)
01/26/2016	167	NOTICE of Appearance by Bradley T Tennis <i>ON BEHALF OF DEFENDANT ARISTA NETWORKS, INC.</i> (Tennis, Bradley) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/26/2016	168	NOTICE of Appearance by Jonathan M. Jacobson <i>ON BEHALF OF DEFENDANT ARISTA NETWORKS, INC.</i> (Jacobson, Jonathan) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/26/2016	169	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 305, receipt number 0971-10162473.) filed by Arista Networks, Inc.. (Pak, Chul) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/26/2016	170	MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 305, receipt number 0971-10162491.) filed by Arista Networks, Inc.. (Reichenberg, David) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/26/2016	171	ORDER GRANTING 169 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 1/26/2016. (blflc3S, COURT STAFF) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/26/2016	172	ORDER GRANTING 170 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 1/26/2016. (blflc3S, COURT STAFF) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/28/2016	173	ORDER ADVANCING HEARING ON 163 DEFENDANT'S MOTION FOR LEAVE TO AMEND RESPONSE TO ADD COUNTERCLAIMS TO FEBRUARY 25, 2016. Signed by Judge Beth Labson Freeman on 1/28/2016. (blflc3S, COURT STAFF) (Filed on 1/28/2016) (Entered: 01/28/2016)
01/28/2016	174	***FILED IN ERROR - See docket entry #175***TRANSCRIPT ORDER by Cisco Systems Inc for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 1/28/2016) Modified on 1/28/2016 (sp, COURT STAFF). (Entered: 01/28/2016)


01/28/2016	175	TRANSCRIPT ORDER for 1/28/2016 proceeding by Cisco Systems Inc for Court Reporter FTR - San Jose. (Pak, Sean) (Filed on 1/28/2016) (TRANSCRIBER: KELLY POLVI) Modified on 1/29/2016 (sms, COURT STAFF). (Entered: 01/28/2016)
01/28/2016	176	TRANSCRIPT ORDER 1/28/2016 proceeding by Arista Networks, Inc. for Court Reporter FTR - San Jose. (Ferrall, Brian) (Filed on 1/28/2016) (TRANSCRIBER: KELLY POLVI) Modified on 1/29/2016 (sms, COURT STAFF). (Entered: 01/28/2016)
01/28/2016	177	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Further Case Management Conference held on 1/28/2016. Defendant to prepare a specific discovery plan as to individuals who are to be deposed. Defendant shall provide of list of the additional individuals who they would like deposed AND a chart identifying/description of the first 20 individuals for deposition. The parties are to work out a schedule. Defendants' 163 Motion for Leave to Amend Response and Counterclaims (presently noticed for 5/26/2016) shall be heard by the court in late February or early March and possibly will be submitted on the papers, and no argument needed, Court to make the determination. Plaintiff Attorney: Sean Pak, Amy Candido. Defendant Attorney Robert Van Nest, David Silbert. FTR Time 11:00-11:20. (Time in Court 20 mins.)This is a text only Minute Entry (amkS, COURT STAFF) (Date Filed: 1/28/2016) (Entered: 01/28/2016)
01/29/2016		ECF calendar updated, re 163 MOTION for Leave to File --- hearing advanced to 2/25/2016 at 9:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. (sms, COURT STAFF) (Filed on 1/29/2016) (Entered: 01/29/2016)
01/29/2016	178	Declaration of Matthew D. Cannon in Support of 162 Administrative Motion to File Under Seal filed byCisco Systems Inc. (Attachments: # 1 Appendix Proposed Redacted Brief, # 2 Exhibit Proposed Redacted Exhibit 1, # 3 Exhibit Proposed Redacted Exhibit B, # 4 Exhibit Proposed Redacted Exhibit D, # 5 Exhibit Proposed Redacted Exhibit E)(Related document(s) 162) (Cannon, Matthew) (Filed on 1/29/2016) (Entered: 01/29/2016)
02/01/2016	 179	TRANSCRIPT OF PROCEEDINGS OF THE OFFICIAL ELECTRONIC SOUND RECORDING - FTR 11:01-11:20 held on 01/28/16, before Judge Beth Labson Freeman. Transcriber Kelly Polvi, telephone number 503.779.7406; kpolvi@comcast.net. Tape Number: 11:01-11:20. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 175 Transcript Order, 176 Transcript Order) Release of Transcript Restriction set for 5/2/2016. (Related documents(s) 175 , 176) (Polvi, Kelly) (Filed on 2/1/2016) (Entered: 02/01/2016)
02/05/2016	 180	Administrative Motion to File Under Seal <i>Arista's Supplemental Proposed Discovery Plan</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration Eduardo E. Santacana, # 2 Proposed Order, # 3 REDACTED Arista's Supplemental Proposed Discovery Plan, # 4 UNREDACTED Arista's Supplemental Proposed Discovery Plan)(Van Nest, Robert) (Filed on 2/5/2016) (Entered: 02/05/2016)
02/05/2016	181	Statement - <i>Arista's Supplemental Proposed Discovery Plan [REDACTED]</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 2/5/2016) (Entered: 02/05/2016)
02/05/2016	182	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 180 Administrative Motion to File Under Seal <i>Arista's Supplemental Proposed Discovery Plan</i> (Van Nest, Robert) (Filed on 2/5/2016) (Entered: 02/05/2016)
02/08/2016	 183	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Administrative Motion to File Under Seal, # 2 Cisco's Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims - Redacted, # 3 Cisco's Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims - Unredacted, # 4 Exhibit A - Redacted, # 5 Exhibit A - Unredacted, # 6 Proposed Order)(Pak, Sean) (Filed on 2/8/2016) (Entered: 02/08/2016)
02/08/2016	184	Please See Document #186 for correction. RESPONSE (re 163 MOTION for Leave to File <i>RESPONSE AND COUNTERCLAIMS</i>) <i>Cisco's Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims</i> filed byCisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Cisco's Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims, # 2 Exhibit A)(Pak, Sean) (Filed on 2/8/2016) Modified on 2/9/2016 (smnS, COURT




		STAFF). (Entered: 02/08/2016)
02/08/2016	 185	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Administrative Motion to File Under Seal, # 2 Cisco's Corrected Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims - Redacted, # 3 Cisco's Corrected Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims - Unredacted, # 4 Proposed Order)(Pak, Sean) (Filed on 2/8/2016) (Entered: 02/08/2016)
02/08/2016	186	RESPONSE (re 163 MOTION for Leave to File <i>RESPONSE AND COUNTERCLAIMS</i>) <i>Cisco's Corrected Opposition to Arista's Motion for Leave to Amend Response to Add Counterclaims - CORRECTION OF DOCKET # 184</i> filed byCisco Systems Inc. (Pak, Sean) (Filed on 2/8/2016) (Entered: 02/08/2016)
02/08/2016	187	CERTIFICATE OF SERVICE by Cisco Systems Inc re 183 Administrative Motion to File Under Seal (Pak, Sean) (Filed on 2/8/2016) (Entered: 02/08/2016)
02/08/2016	188	CERTIFICATE OF SERVICE by Cisco Systems Inc re 185 Administrative Motion to File Under Seal (Pak, Sean) (Filed on 2/8/2016) (Entered: 02/08/2016)
02/09/2016	189	DECLARATION of Matthew D. Cannon in Opposition to 180 Administrative Motion to File Under Seal <i>Arista's Supplemental Proposed Discovery Plan</i> filed byCisco Systems Inc. (Related document(s) 180) (Cannon, Matthew) (Filed on 2/9/2016) (Entered: 02/09/2016)
02/12/2016	190	Declaration of Eduardo E. Santacana in Support of 185 Administrative Motion to File Under Seal , 183 Administrative Motion to File Under Seal filed byArista Networks, Inc.. (Related document(s) 185 , 183) (Santacana, Eduardo) (Filed on 2/12/2016) (Entered: 02/12/2016)
02/16/2016	 191	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Nicholas D. Marais in Support of Arista's Administrative Motion to File Documents Under Seal, # 2 Proposed Order Denying Defendant Arista's Administrative Motion to File Under Seal, # 3 Redacted Version of Reply Brief in Support of Arista Networks, Inc.'s Motion for Leave to Amend Response to Add Counterclaims, # 4 Redacted Version of Declaration of Andrea Nill Sanchez in Support of Arista's Motion for Leave to Amend Response to Add Counterclaims, # 5 Unredacted Version of Reply Brief in Support of Arista Networks, Inc.'s Motion for Leave to Amend Response to Add Counterclaims, # 6 Unredacted Version of Declaration of Andrea Nill Sanchez in Support of Arista's Motion for Leave to Amend Response to Add Counterclaims)(Van Nest, Robert) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	192	REPLY (re 163 MOTION for Leave to File <i>RESPONSE AND COUNTERCLAIMS</i>) filed byArista Networks, Inc.. (Attachments: # 1 Declaration of Andrea Nill Sanchez in Support of Arista's Motion for Leave to Amend Response to Add Counterclaims)(Van Nest, Robert) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	193	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 191 Administrative Motion to File Under Seal (Van Nest, Robert) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	194	NOTICE of Appearance by Nicholas David Marais (Marais, Nicholas) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	195	NOTICE of Appearance by Andrea Christina Nill Sanchez (Nill Sanchez, Andrea) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	 196	Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Supplemental Proposed Discovery Plan</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Administrative Motion to File under Seal, # 2 Cisco's Response to Arista's Supplemental Proposed Discovery Plan - Unredacted, # 3 Cisco's Response to Arista's Supplemental Proposed Discovery Plan - Redacted, # 4 Exhibit 5 - Unredacted, # 5 Exhibit 5 - Redacted, # 6 Exhibit 6 - Unredacted, # 7 Exhibit 6 - Redacted, # 8 Exhibit 7 - Unredacted, # 9 Exhibit 7 - Redacted, # 10 Exhibit 9 - Unredacted, # 11 Exhibit 9 - Redacted, # 12 Exhibit 10 - Unredacted, # 13 Exhibit 10 - Redacted, # 14 Exhibit 12 - Unredacted, # 15 Exhibit 12 - Redacted, # 16 Exhibit 13 - Unredacted, # 17 Exhibit 13 - Redacted, # 18 Exhibit 14 - Unredacted, # 19 Exhibit 14 - Redacted, # 20 Exhibit 15 - Unredacted, # 21 Exhibit 15 - Redacted, # 22 Exhibit 17 - Unredacted, # 23 Exhibit 17 - Redacted, # 24 Proposed Order Granting Administrative Motion to File under Seal)(Pak, Sean) (Filed on 2/16/2016) (Entered: 02/16/2016)



02/16/2016	197	RESPONSE to re 181 Statement <i>Cisco's Response to Arista's Supplemental Proposed Discovery Plan - Redacted</i> by Cisco Systems Inc. (Attachments: # 1 Declaration of Matthew D. Cannon in Support of Cisco's Response to Arista's Supplemental Proposed Discovery Plan, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5 - Redacted, # 7 Exhibit 6 - Redacted, # 8 Exhibit 7 - Redacted, # 9 Exhibit 8, # 10 Exhibit 9 - Redacted, # 11 Exhibit 10 - Redacted, # 12 Exhibit 11, # 13 Exhibit 12 - Redacted, # 14 Exhibit 13 - Redacted, # 15 Exhibit 14 - Redacted, # 16 Exhibit 15 - Redacted, # 17 Exhibit 16, # 18 Exhibit 17 - Redacted)(Pak, Sean) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	198	CERTIFICATE OF SERVICE by Cisco Systems Inc re 196 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Supplemental Proposed Discovery Plan</i> (Pak, Sean) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/16/2016	199	CERTIFICATE OF SERVICE by Cisco Systems Inc re 196 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Supplemental Proposed Discovery Plan</i> (Pak, Sean) (Filed on 2/16/2016) (Entered: 02/16/2016)
02/17/2016	200	ORDER GRANTING IN PART AND DENYING IN PART 162 DEFENDANT'S MOTION TO SEAL. Signed by Judge Beth Labson Freeman on 2/17/2016. (blflc3S, COURT STAFF) (Filed on 2/17/2016) (Entered: 02/17/2016)
02/17/2016	201	ORDER DENYING 180 DEFENDANT'S MOTION TO SEAL. Signed by Judge Beth Labson Freeman on 2/17/2016. (blflc3S, COURT STAFF) (Filed on 2/17/2016) (Entered: 02/17/2016)
02/17/2016	202	ORDER VACATING HEARING SET FOR FEBRUARY 25, 2016. Signed by Judge Beth Labson Freeman on 2/17/2016. (blflc3S, COURT STAFF) (Filed on 2/17/2016) (Entered: 02/17/2016)
02/17/2016	203	ORDER REGARDING 181 DEFENDANT ARISTA'S SUPPLEMENTAL PROPOSED DISCOVERY PLAN. Signed by Judge Beth Labson Freeman on 2/17/2016. (blflc3S, COURT STAFF) (Filed on 2/17/2016) (Entered: 02/17/2016)
02/18/2016	204	ORDER DENYING 163 ARISTA'S MOTION FOR LEAVE TO AMEND RESPONSE TO ADD COUNTERCLAIMS. Signed by Judge Beth Labson Freeman on 2/18/2016. (blflc3S, COURT STAFF) (Filed on 2/18/2016) (Entered: 02/18/2016)
02/19/2016	205	ORDER GRANTING IN PART AND DENYING IN PART 183 , 185 CISCO'S ADMINISTRATIVE MOTIONS TO FILE UNDER SEAL. Signed by Judge Beth Labson Freeman on 2/19/2016. (blflc3S, COURT STAFF) (Filed on 2/19/2016) (Entered: 02/19/2016)
02/19/2016	206	Declaration of Joshua Glucoft in Support of 197 Response (Non Motion),, 196 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Supplemental Proposed Discovery Plan</i> filed byJuniper Networks, Inc.. (Related document(s) 197 , 196) (Glucoft, Joshua) (Filed on 2/19/2016) (Entered: 02/19/2016)
02/22/2016	207	NOTICE by Arista Networks, Inc. re 181 Statement <i>Public Filing of Supplemental Proposed Discovery Plan</i> (Attachments: # 1 Arista's Supplemental Proposed Discovery Plan - Unredacted Public Version)(Van Nest, Robert) (Filed on 2/22/2016) (Entered: 02/22/2016)
02/22/2016	208	Declaration of Eduardo E. Santacana in Support of 196 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Supplemental Proposed Discovery Plan</i> filed byArista Networks, Inc.. (Related document(s) 196) (Santacana, Eduardo) (Filed on 2/22/2016) (Entered: 02/22/2016)
02/22/2016	209	Declaration of Matthew D. Cannon in Support of 191 Administrative Motion to File Under Seal filed byCisco Systems Inc. (Related document(s) 191) (Cannon, Matthew) (Filed on 2/22/2016) (Entered: 02/22/2016)
02/24/2016	210	MOTION to Relate Case filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 2/24/2016) (Entered: 02/24/2016)
02/26/2016	211	CLERK'S NOTICE RESETTNG TIME OF CLAIMS TUTORIAL. Set/Reset Tutorial Hearing set for 3/11/2016 01:30 PM in Courtroom 3, 5th Floor, San Jose. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (tsh, COURT STAFF) (Filed on 2/26/2016) (Entered: 02/26/2016)
03/01/2016	212	ORDER GRANTING 191 ARISTA'S ADMINISTRATIVE MOTION TO FILE MATERIAL UNDER SEAL. Signed by Judge Beth Labson Freeman on 3/1/2016. (blflc3S, COURT STAFF)




		(Filed on 3/1/2016) (Entered: 03/01/2016)
03/03/2016	213	ORDER GRANTING IN PART AND DENYING IN PART 196 CISCO'S ADMINISTRATIVE MOTIONS TO FILE UNDER SEAL. Signed by Judge Beth Labson Freeman on 3/3/2016. (blflc3S, COURT STAFF) (Filed on 3/3/2016) (Entered: 03/03/2016)
03/03/2016	214	ORDER GRANTING 210 MOTION TO RELATE CASES. Signed by Judge Beth Labson Freeman on 3/3/2016. (blflc3S, COURT STAFF) (Filed on 3/3/2016) (Entered: 03/03/2016)
03/03/2016	215	Brief re 213 Order on Administrative Motion to File Under Seal <i>Cisco's Response to Arista's Supplemental Proposed Discovery Plan - Revised Redacted</i> filed by Cisco Systems Inc. (Attachments: # 1 Exhibit 5, # 2 Exhibit 6 - Revised Redacted, # 3 Exhibit 7, # 4 Exhibit 9)(Related document(s) 213) (Pak, Sean) (Filed on 3/3/2016) (Entered: 03/03/2016)
03/05/2016	216	CLAIM CONSTRUCTION STATEMENT filed by Cisco Systems Inc. (Liu, Jason) (Filed on 3/5/2016) (Entered: 03/05/2016)
03/09/2016	217	NOTICE by Arista Networks, Inc. of <i>Supplemental Intrinsic Evidence Re Claim Construction</i> (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Rosen, David) (Filed on 3/9/2016) (Entered: 03/09/2016)
03/11/2016	218	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Claims Construction Tutorial held on 3/11/2016. Claims Construction Hearing set for 4/8/2016 08:30 AM.FTR Time: 1:32 - 3:40. Plaintiff Attorney: Sean Pak. Defendant Attorney: Ajay Krishnan, David Silbert, David Rosen. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 3/11/2016) (Entered: 03/14/2016)
03/18/2016	219	MOTION for leave to appear in Pro Hac Vice <i>for Tamir Packin</i> (Filing fee \$ 305, receipt number 0971-10300145.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Packin, Tamir) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	220	MOTION for leave to appear in Pro Hac Vice <i>for John M. Desmarais</i> (Filing fee \$ 305, receipt number 0971-10300395.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing) (Desmarais, John) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	221	MOTION for leave to appear in Pro Hac Vice <i>for Tom BenGera</i> (Filing fee \$ 305, receipt number 0971-10300916.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing) (BenGera, Tom) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	222	MOTION for leave to appear in Pro Hac Vice <i>for Michael Rhodes</i> (Filing fee \$ 305, receipt number 0971-10300968.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Rhodes, Michael) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	223	ORDER GRANTING 219 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/18/2016. (blflc3S, COURT STAFF) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	224	ORDER GRANTING 220 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/18/2016. (blflc3S, COURT STAFF) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	225	ORDER GRANTING 221 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/18/2016. (blflc3S, COURT STAFF) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/18/2016	226	ORDER GRANTING 222 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/18/2016. (blflc3S, COURT STAFF) (Filed on 3/18/2016) (Entered: 03/18/2016)
03/21/2016	227	TRANSCRIPT ORDER for proceedings held on 3/11/2016 before Hon. Beth Labson Freeman by Cisco Systems Inc, FTR - San Jose. (Candido, Amy) (Filed on 3/21/2016) (TRANSCRIBER: PAMELA BATALO) Modified on 3/21/2016 (sms, COURT STAFF). (Entered: 03/21/2016)
03/22/2016	228	MOTION for leave to appear in Pro Hac Vice <i>for Alan S. Kellman</i> (Filing fee \$ 305, receipt number 0971-10308040.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing) (Kellman, Alan) (Filed on 3/22/2016) (Entered: 03/22/2016)


03/22/2016	229	ORDER GRANTING 228 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/22/2016. (blflc3S, COURT STAFF) (Filed on 3/22/2016) (Entered: 03/22/2016)
03/25/2016	 230	Transcript of Proceedings (FTR) held on 03/11/16, 1:32 p.m. to 3:40 p.m. before Judge Freeman. Court Reporter/Transcriber Pamela A. Batalo, telephone number 626-688-7509;pamela_batalo@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 227 Transcript Order) Redaction Request due 4/15/2016. Redacted Transcript Deadline set for 4/25/2016. Release of Transcript Restriction set for 6/23/2016. (Related documents(s) 227) (Batalo, Pam) (Filed on 3/25/2016) (Entered: 03/25/2016)
03/25/2016	231	TRANSCRIPT ORDER for proceedings held on 3/11/16 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Pam Batalo. (Ferrall, Brian) (Filed on 3/25/2016) <Please note FTR was used for 3/11/16 hearing. Modified on 3/25/2016 (srnS, COURT STAFF). (TRANSCRIBER: PAMELA BATALO) Modified on 3/28/2016 (sms, COURT STAFF). (Entered: 03/25/2016)
03/29/2016	232	MOTION for leave to appear in Pro Hac Vice <i>for Paul A. Bondor</i> (Filing fee \$ 305, receipt number 0971-10326023.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Bondor, Paul) (Filed on 3/29/2016) (Entered: 03/29/2016)
03/29/2016		(Court only) TRANSCRIPT COPY DELIVERED re 231 Transcript Order, (Related documents(s) 231) (Batalo, Pam) (Filed on 3/29/2016) (Entered: 03/29/2016)
03/29/2016	233	ORDER GRANTING 232 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 3/29/2016. (blflc3S, COURT STAFF) (Filed on 3/29/2016). (Entered: 03/29/2016)
04/01/2016	234	NOTICE by Cisco Systems Inc of <i>Supplemental Intrinsic Evidence re Claim Construction</i> (Attachments: # 1 Exhibit 1 - Part 1, # 2 Exhibit 1 - Part 2, # 3 Exhibit 1 - Part 3, # 4 Exhibit 1 - Part 4, # 5 Exhibit 2, # 6 Exhibit 3 - Part 1, # 7 Exhibit 3 - Part 2, # 8 Exhibit 3 - Part 3, # 9 Exhibit 3 - Part 4, # 10 Exhibit 4)(Pak, Sean) (Filed on 4/1/2016) (Entered: 04/01/2016)
04/07/2016	235	OBJECTIONS to re 234 Notice (Other), <i>Defendant Arista Network, Inc.'s Objections to Supplemental Intrinsic Evidence Re Claim Construction (DKT. No. 234) Submitted by Plaintiff Cisco Systems, Inc.</i> by Arista Networks, Inc.. (Rosen, David) (Filed on 4/7/2016) (Entered: 04/07/2016)
04/07/2016	236	RESPONSE to re 235 Objection, <i>Cisco's Response to Arista's Objections to Supplemental Intrinsic Evidence re Claim Construction</i> by Cisco Systems Inc. (Tung, Mark) (Filed on 4/7/2016) (Entered: 04/07/2016)
04/08/2016	237	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Claims Construction Hearing held on 4/8/2016. Total Time in Court 4:00. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Sean Sang-Chul Pak, Mark Yeh-Kai Tung. Defendant Attorney: David Jason Silbert, Ajay Krishnan, David Justin Rosen. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 4/8/2016) (Entered: 04/08/2016)
04/08/2016	238	TRANSCRIPT ORDER before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 4/8/2016) (Entered: 04/08/2016)
04/08/2016	 239	Transcript of Proceedings held on 4/8/16, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 238 Transcript Order) Release of Transcript Restriction set for 7/7/2016. (Related documents(s) 238) (Fisher, Summer) (Filed on 4/8/2016) (Entered: 04/08/2016)





04/11/2016	240	***FILED IN ERROR - DISREGARD***TRANSCRIPT ORDER for proceedings held on April 8, 2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 4/11/2016) Modified on 4/12/2016 (sp, COURT STAFF). (Entered: 04/11/2016)
04/12/2016	241	TRANSCRIPT ORDER for proceedings held on 04/08/2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 4/12/2016) (SS emailed NEF to Summer Fisher) Modified on 4/12/2016 (smsS, COURT STAFF). (Entered: 04/12/2016)
04/13/2016		(Court only) TRANSCRIPT COPY DELIVERED re 241 Transcript Order, (Related documents(s) 241) (Fisher, Summer) (Filed on 4/13/2016) (Entered: 04/13/2016)
04/13/2016	242	NOTICE of Appearance by Andrew Michael Holmes (Holmes, Andrew) (Filed on 4/13/2016) (Entered: 04/13/2016)
04/14/2016	243	MOTION for leave to appear in Pro Hac Vice <i>for Richard A. Feinstein</i> (Filing fee \$ 305, receipt number 0971-10370699.) filed by Cisco Systems Inc. (Feinstein, Richard) (Filed on 4/14/2016) Modified on 4/14/2016 (srnS, COURT STAFF). (Entered: 04/14/2016)
04/14/2016	244	ORDER GRANTING 243 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 4/14/2016. (blflc3S, COURT STAFF) (Filed on 4/14/2016) (Entered: 04/14/2016)
04/14/2016	245	ADMINISTRATIVE MOTION for Clarification of Court's Prior Orders Relating to Deposition Limits filed by Arista Networks, Inc.. Responses due by 4/18/2016. (Attachments: # 1 Declaration of Eduardo E. Santacana in Support of Motion for Clarification of Court's Prior Orders Relating to Deposition Limits, # 2 Proposed Order)(Van Nest, Robert) (Filed on 4/14/2016) (Entered: 04/14/2016)
04/14/2016	246	ORDER DIRECTING CISCO TO FILE ANY OPPOSITION TO 245 ARISTA'S REQUEST FOR CLARIFICATION BY APRIL 15, 2016 AT 12 P.M. Signed by Judge Beth Labson Freeman on 4/14/2016. (blflc3S, COURT STAFF) (Filed on 4/14/2016) (Entered: 04/14/2016)
04/15/2016	247	RESPONSE TO ARISTAS ADMINISTRATIVE MOTION FOR CLARIFICATION OF COURTS PRIOR ORDERS RELATING TO DEPOSITION LIMITS (RE: ECF NOS. 132 , 137 , 203) (re 245 ADMINISTRATIVE MOTION for Clarification of Court's Prior Orders Relating to Deposition Limits filed by Cisco Systems Inc. (Pak, Sean) (Filed on 4/15/2016) Modified on 4/18/2016 (bwS, COURT STAFF). (Entered: 04/15/2016)
04/15/2016	248	ORDER REGARDING 245 ARISTA'S REQUEST FOR CLARIFICATION. Signed by Judge Beth Labson Freeman on 4/15/2016. (blflc3S, COURT STAFF) (Filed on 4/15/2016) (Entered: 04/15/2016)
04/20/2016	249	NOTICE of Appearance by Richard A. Feinstein <i>on behalf of Cisco Systems, Inc.</i> (Feinstein, Richard) (Filed on 4/20/2016) (Entered: 04/20/2016)
04/20/2016	250	Joint MOTION to Amend/Correct 160 Order on Stipulation filed by Arista Networks, Inc.. Responses due by 4/21/2016. Replies due by 4/21/2016. (Attachments: # 1 Proposed Order)(Ferrall, Brian) (Filed on 4/20/2016) (Entered: 04/20/2016)
04/21/2016	251	ORDER DENYING 250 MOTION TO AMEND SCHEDULING ORDER AND RESCHEDULE DISPOSITIVE MOTION HEARING. Signed by Judge Beth Labson Freeman on 4/21/2016. (blflc3S, COURT STAFF) (Filed on 4/21/2016) (Entered: 04/21/2016)
04/25/2016	252	STIPULATION WITH PROPOSED ORDER <i>to Amend Scheduling Order</i> filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 4/25/2016) (Entered: 04/25/2016)
04/25/2016	253	ORDER GRANTING 252 JOINT STIPULATION TO AMEND SCHEDULING ORDER. Signed by Judge Beth Labson Freeman on 4/25/2016. (blflc3S, COURT STAFF) (Filed on 4/25/2016) (Entered: 04/25/2016)
04/26/2016	254	NOTICE of Appearance by Phillip H. Warren (Warren, Phillip) (Filed on 4/26/2016) (Entered: 04/26/2016)
04/26/2016	255	MOTION for leave to appear in Pro Hac Vice <i>for Brian Leary</i> (Filing fee \$ 305, receipt number 0971-10401519.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Leary,





		Brian) (Filed on 4/26/2016) (Entered: 04/26/2016)
04/28/2016	256	ORDER GRANTING 255 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 4/28/2016. (blflc3S, COURT STAFF) (Filed on 4/28/2016) (Entered: 04/28/2016)
05/09/2016	257	NOTICE of Appearance by Carl Gunnar Anderson (Anderson, Carl) (Filed on 5/9/2016) (Entered: 05/09/2016)
05/09/2016	258	NOTICE of Appearance by Jordan Ross Jaffe (Jaffe, Jordan) (Filed on 5/9/2016) (Entered: 05/09/2016)
05/09/2016	259	NOTICE of Appearance by Sara E. Jenkins (Jenkins, Sara) (Filed on 5/9/2016) (Entered: 05/09/2016)
05/23/2016	260	STIPULATION WITH PROPOSED ORDER <i>To Set Case Management Conference</i> filed by Arista Networks, Inc.. (Silbert, David) (Filed on 5/23/2016) (Entered: 05/23/2016)
05/24/2016	 261	Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Motion for Protective Order</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Catherine R. Lacey, # 2 Motion for Protective Order - Redacted, # 3 Motion for Protective Order - Sealed, # 4 Declaration of John Chambers - Redacted, # 5 Declaration of John Chambers - Sealed, # 6 Exhibit 7 - Redacted, # 7 Exhibit 7 - Sealed, # 8 Exhibit 11 - Redacted, # 9 Exhibit 11 - Sealed, # 10 Exhibit 12 - Redacted, # 11 Exhibit 12 - Sealed, # 12 Exhibit 13 - Redacted, # 13 Exhibit 13 - Sealed, # 14 Exhibit 14 - Redacted, # 15 Exhibit 14 - Sealed, # 16 Exhibit 15 - Redacted, # 17 Exhibit 15 - Sealed, # 18 Exhibit 16 - Redacted, # 19 Exhibit 16 - Sealed, # 20 Exhibit 18 - Redacted, # 21 Exhibit 18 - Sealed, # 22 Proposed Order) (Candido, Amy) (Filed on 5/24/2016) (Entered: 05/24/2016)
05/24/2016	262	MOTION for Protective Order filed by Cisco Systems Inc. Motion Hearing set for 6/28/2016 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Responses due by 6/7/2016. Replies due by 6/14/2016. (Attachments: # 1 Declaration of Sara Jenkins, # 2 Declaration of John Chambers - Redacted, # 3 Exhibit 1, # 4 Exhibit 2, # 5 Exhibit 3, # 6 Exhibit 4, # 7 Exhibit 5, # 8 Exhibit 6, # 9 Exhibit 7 - Redacted, # 10 Exhibit 8, # 11 Exhibit 9, # 12 Exhibit 10, # 13 Exhibit 11 - Redacted, # 14 Exhibit 12 - Redacted, # 15 Exhibit 13 - Redacted, # 16 Exhibit 14 - Redacted, # 17 Exhibit 15 - Redacted, # 18 Exhibit 16 - Redacted, # 19 Exhibit 17, # 20 Exhibit 18 - Redacted, # 21 Proposed Order)(Candido, Amy) (Filed on 5/24/2016) (Entered: 05/24/2016)
05/24/2016	263	CERTIFICATE OF SERVICE by Cisco Systems Inc re 261 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Motion for Protective Order</i> (Candido, Amy) (Filed on 5/24/2016) (Entered: 05/24/2016)
05/24/2016	264	CLERK'S NOTICE VACATING JUNE 28, 2016 MOTION HEARING BEFORE MAGISTRATE JUDGE PAUL S. GREWAL (In Re: ECF No. 262): In light of Judge Grewal's resignation, Cisco Systems, Inc.'s Motion for Protective Order presently set for 6/28/2016 at 10:00 AM before Magistrate Judge Paul S. Grewal is hereby vacated and should be re-noticed for hearing before the referral judge to whom this case is reassigned. Parties will be informed by separate notice of the referral judge to whom this case is reassigned. *** This is a text only docket entry, there is no document associated with this notice. *** (ofr, COURT STAFF) (Filed on 5/24/2016) (Entered: 05/24/2016)
05/24/2016	265	ORDER GRANTING-IN-PART MOTION TO SEAL by Magistrate Judge Paul Singh Grewal granting-in-part and denying-in-part 261 . (psglc1S, COURT STAFF) (Filed on 5/24/2016) (Entered: 05/24/2016)
05/25/2016	266	ORDER GRANTING 260 JOINT STIPULATION TO SET CASE MANAGEMENT CONFERENCE. Signed by Judge Beth Labson Freeman on 5/25/2016. (blflc3S, COURT STAFF) (Filed on 5/25/2016) (Entered: 05/25/2016)
05/26/2016		(Court only) Set/Reset Hearing re 266 Order on Stipulation, Set/Reset Deadlines: Further Case Management Conference set for 6/16/2016 11:00 AM in Courtroom 3, 5th Floor, San Jose. Case Management Statement due by 6/9/2016. (tshS, COURT STAFF) (Filed on 5/26/2016) (Entered: 05/26/2016)
05/29/2016	 267	Transcript of Proceedings held on May 26, 2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Joan Marie Columbini, CSR, email joan.columbini.csr@gmail.com. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of







		Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (72 in 5:16-cv-00923-BLF) Transcript Order, (70 in 5:16-cv-00923-BLF) Transcript Order,) Redaction Request due 6/20/2016. Redacted Transcript Deadline set for 6/29/2016. Release of Transcript Restriction set for 8/29/2016. (Columbini, Joan) (Filed on 5/29/2016) (Entered: 05/29/2016)
05/31/2016	268	Letter from Arista Networks, Inc. <i>Regarding Request for Clarification of Court's Order Granting-in-Part Motion to Seal</i> . (Santacana, Eduardo) (Filed on 5/31/2016) (Entered: 05/31/2016)
05/31/2016	269	STIPULATION WITH PROPOSED ORDER <i>Joint Stipulation to Amend Scheduling Order and Proposed Order</i> filed by Cisco Systems Inc. (Candido, Amy) (Filed on 5/31/2016) (Entered: 05/31/2016)
05/31/2016	270	Cisco Systems, Inc.'s Notice of Motion and Motion for Protective Order - Redacted Version of Document Sought to be Sealed re 265 Order on Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of John Chambers - Revised Redacted, # 2 Exhibit 16 - Revised Redacted)(Related document(s) 265) (Candido, Amy) (Filed on 5/31/2016) Modified on 6/1/2016 (srnS, COURT STAFF). (Entered: 05/31/2016)
05/31/2016	 271	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of David J. Rosen, # 2 Proposed Order, # 3 Exhibit C-UNDER SEAL)(Rosen, David) (Filed on 5/31/2016) (Entered: 05/31/2016)
05/31/2016	272	MOTION to Stay <i>Patent Claims Pending Inter Partes Review</i> filed by Arista Networks, Inc.. Responses due by 6/6/2016. Replies due by 6/8/2016. (Attachments: # 1 Proposed Order)(Silbert, David) (Filed on 5/31/2016) (Entered: 05/31/2016)
05/31/2016	273	Declaration of David J. Rosen in Support of 272 MOTION to Stay <i>Patent Claims Pending Inter Partes Review</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Related document(s) 272) (Rosen, David) (Filed on 5/31/2016) (Entered: 05/31/2016)
05/31/2016	274	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 271 Administrative Motion to File Under Seal (Rosen, David) (Filed on 5/31/2016) (Entered: 05/31/2016)
06/01/2016	275	ORDER GRANTING-IN-PART REQUEST FOR CLARIFICATION OF SEALING ORDER. Signed by Judge Paul S. Grewal on June 1, 2016, granting-in-part and denying-in-part 268 . (psglc1S, COURT STAFF) (Filed on 6/1/2016) (Entered: 06/01/2016)
06/01/2016	276	ORDER DIRECTING EXPEDITED BRIEFING ON 272 ARISTA'S MOTION TO STAY. Signed by Judge Beth Labson Freeman on 6/1/2016. (blflc3S, COURT STAFF) (Filed on 6/1/2016) (Entered: 06/01/2016)
06/02/2016	277	ORDER GRANTING 269 JOINT STIPULATION TO AMEND SCHEDULING ORDER. Signed by Judge Beth Labson Freeman on 6/2/2016. (blflc3S, COURT STAFF) (Filed on 6/2/2016) (Entered: 06/02/2016)
06/03/2016	278	MOTION to Compel <i>Discovery Responses</i> filed by Arista Networks, Inc.. Motion Hearing set for 7/12/2016 10:00 AM in Courtroom 5, 4th Floor, San Jose before Magistrate Judge Paul Singh Grewal. Responses due by 6/17/2016. Replies due by 6/24/2016. (Attachments: # 1 Proposed Order)(Ferrall, Brian) (Filed on 6/3/2016) (Entered: 06/03/2016)
06/03/2016	279	Declaration of Eduardo E. Santacana in Support of 278 MOTION to Compel <i>Discovery Responses</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Related document(s) 278) (Santacana, Eduardo) (Filed on 6/3/2016) (Entered: 06/03/2016)
06/06/2016	 280	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit Unredacted Exhibit 1, # 4 Exhibit Unredacted Exhibit 2)(Holmes, Andrew) (Filed on 6/6/2016) (Entered: 06/06/2016)
06/06/2016	281	RESPONSE (re 272 MOTION to Stay <i>Patent Claims Pending Inter Partes Review</i>) filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Proposed Order)(Holmes, Andrew) (Filed on 6/6/2016) (Entered: 06/06/2016)
06/06/2016	282	CERTIFICATE OF SERVICE by Cisco Systems Inc re 280 Administrative Motion to File Under Seal <i>CONFIDENTIAL INFORMATION IN EXHIBITS TO THE DECLARATION OF JOHN NEUKOM IN SUPPORT OF CISCO'S PARTIAL OPPOSITION TO ARISTA'S MOTION TO STAY</i> (Holmes, Andrew)


		(Filed on 6/6/2016) (Entered: 06/06/2016)
06/06/2016	283	ORDER REASSIGNING CASE. Case reassigned to Magistrate Judge Nathanael M. Cousins for referral purposes. Magistrate Judge Paul Singh Grewal no longer assigned to the case. Signed by the Executive Committee on 6/6/2016. (vlk, COURT STAFF) (Filed on 6/6/2016) (Entered: 06/07/2016)
06/07/2016	284	REPLY BRIEF IN SUPPORT OF DEFENDANT ARISTA NETWORKS, INC.S PARTIALLY UNOPPOSED MOTION TO STAY PATENT CLAIMS PENDING INTER PARTES REVIEW (re 272 MOTION to Stay Patent Claims Pending Inter Partes Review) filed by Arista Networks, Inc.. (Silbert, David) (Filed on 6/7/2016) Modified on 6/8/2016 (bwS, COURT STAFF). (Entered: 06/07/2016)
06/07/2016	285	NOTICE OF HEARING ON ARISTAS MOTION TO COMPEL DISCOVERY RESPONSES re 278 MOTION to Compel filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 6/7/2016) Modified on 6/8/2016 (bwS, COURT STAFF). (Entered: 06/07/2016)
06/07/2016	 286	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Elizabeth McCloskey, # 2 Proposed Order, # 3 Redacted Version of Opposition to Plaintiffs Motion for Protective Order, # 4 Unredacted Version of Opposition to Plaintiffs Motion for Protective Order, # 5 Exhibit 2-Under Seal, # 6 Exhibit 3-Under Seal, # 7 Exhibit 4-Under Seal, # 8 Exhibit 5-Under Seal, # 9 Exhibit 6-Under Seal, # 10 Exhibit 7-Under Seal, # 11 Exhibit 8-Under Seal, # 12 Exhibit 9-Under Seal, # 13 Exhibit 10-Under Seal)(Van Nest, Robert) (Filed on 6/7/2016) (Entered: 06/07/2016)
06/07/2016	 287	EXHIBITS 11-22 re 286 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 12-Under Seal, # 2 Exhibit 13-Under Seal, # 3 Exhibit 14-Under Seal, # 4 Exhibit 15-Under Seal, # 5 Exhibit 16-Under Seal, # 6 Exhibit 17-Under Seal, # 7 Exhibit 18-Under Seal, # 8 Exhibit 19-Under Seal, # 9 Exhibit 20-Under Seal, # 10 Exhibit 21-Under Seal, # 11 Exhibit 22-Under Seal) (Van Nest, Robert) (Filed on 6/7/2016) Modified on 6/8/2016 (bwS, COURT STAFF). (Entered: 06/07/2016)
06/07/2016	 288	EXHIBITS 23-35 re 286 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 24-Under Seal, # 2 Exhibit 25-Under Seal, # 3 Exhibit 26-Under Seal, # 4 Exhibit 27-Under Seal, # 5 Exhibit 28-Under Seal, # 6 Exhibit 30-Under Seal, # 7 Exhibit 31-Under Seal, # 8 Exhibit 32-Under Seal, # 9 Exhibit 34-Under Seal, # 10 Exhibit 35-Under Seal)) (Van Nest, Robert) (Filed on 6/7/2016) Modified on 6/8/2016 (bwS, COURT STAFF). (Entered: 06/07/2016)
06/07/2016	289	OPPOSITION TO PLAINTIFF CISCO SYSTEMS, INC.S MOTION FOR PROTECTIVE ORDER (re 262 filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 6/7/2016) Modified on 6/8/2016 (bwS, COURT STAFF). (Entered: 06/07/2016)
06/07/2016	290	Declaration of Elizabeth McCloskey in Support of 289 Opposition/Response to Motion filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35)(Related document(s) 289) (McCloskey, Elizabeth) (Filed on 6/7/2016) (Entered: 06/07/2016)
06/07/2016	291	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 286 Administrative Motion to File Under Seal (McCloskey, Elizabeth) (Filed on 6/7/2016) (Entered: 06/07/2016)
06/08/2016	292	ORDER DENYING 272 ARISTA'S PARTIALLY UNOPPOSED MOTION TO STAY PATENT CLAIMS PENDING INTER PARTES REVIEW. Signed by Judge Beth Labson Freeman on 6/8/2016. (blflc3S, COURT STAFF) (Filed on 6/8/2016) (Entered: 06/08/2016)
06/08/2016	293	NOTICE by Cisco Systems Inc re 262 MOTION for Protective Order <i>Notice of Motion for Protective Order</i> (Candido, Amy) (Filed on 6/8/2016) (Entered: 06/08/2016)
06/09/2016	294	NOTICE of Appearance by Matthew Douglas Powers (Powers, Matthew) (Filed on 6/9/2016) (Entered: 06/09/2016)
06/09/2016	295	NOTICE of Appearance by William Patrick Nelson (Nelson, William) (Filed on 6/9/2016) (Entered: 06/09/2016)

06/10/2016	296	SEE DOCUMENT 297 FOR CORRECTION. MOTION for leave to appear in Pro Hac Vice for <i>Brian P. Gearing</i> (Filing fee \$ 305, receipt number 0971-10520793.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Gearing, Brian) (Filed on 6/10/2016) Modified on 6/13/2016 (srnS, COURT STAFF). (Entered: 06/10/2016)
06/10/2016	297	MOTION for leave to appear in Pro Hac Vice for <i>Brian P. Gearing</i> CORRECTION OF DOCKET # 296 (Filing fee \$ 305, receipt number 0971-10520793.) Filing fee previously paid on 6/10/2016 filed by Cisco Systems Inc. (Attachments: # 1 Certificate of Good Standing)(Gearing, Brian) (Filed on 6/10/2016) (Entered: 06/10/2016)
06/10/2016	298	Proposed Order re 292 Order on Motion to Stay [<i>Proposed</i>] <i>Order Dismissing Claims of Infringement Under U.S. Patent No. 7,953,886</i> by Cisco Systems Inc. (Jaffe, Jordan) (Filed on 6/10/2016) (Entered: 06/10/2016)
06/10/2016	299	ORDER GRANTING 297 APPLICATION FOR ADMISSION OF ATTORNEY PRO HAC VICE. Signed by Judge Beth Labson Freeman on 6/10/2016. (blflc3S, COURT STAFF) (Filed on 6/10/2016) (Entered: 06/10/2016)
06/12/2016	300	ORDER ADVANCING BRIEFING ON ARISTA'S MOTION TO COMPEL DISCOVERY. Re: Dkt. No. 278 . Cisco's response due by 11:00 AM on June 16. No reply will be permitted without leave of court. Signed by Judge Nathanael Cousins on 6/12/2016. (lmh, COURT STAFF) (Filed on 6/12/2016) (Entered: 06/12/2016)
06/12/2016	301	ORDER GRANTING IN PART AND DENYING IN PART CISCO'S MOTION FOR PROTECTIVE ORDER BLOCKING THE JOHN CHAMBERS DEPOSITION. Re: Dkt. No 270. Signed by Judge Nathanael Cousins. (lmh, COURT STAFF) (Filed on 6/12/2016) (Entered: 06/12/2016)
06/13/2016	302	Declaration of Sara E. Jenkins in Support of 286 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 286) (Jenkins, Sara) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	303	CASE MANAGEMENT STATEMENT <i>Joint Case Management Statement</i> filed by Cisco Systems Inc. (Candido, Amy) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	 304	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Redacted Version of Motion to Strike, # 4 Unredacted Version of Motion to Strike, # 5 Redacted Version of Exhibit 7, # 6 Unredacted Version of Exhibit 7, # 7 Under Seal Exhibit 8, # 8 Under Seal Exhibit 9, # 9 Under Seal Exhibit 10, # 10 Under Seal Exhibit 11, # 11 Redacted Version of Exhibit 12, # 12 Unredacted Version of Exhibit 12, # 13 Redacted Version of Exhibit 16, # 14 Unredacted Version of Exhibit 16, # 15 Under Seal Exhibit 17, # 16 Under Seal Exhibit 18, # 17 Redacted Version of Exhibit 19, # 18 Unredacted Version of Exhibit 19, # 19 Under Seal Exhibit 20)(Ferrall, Brian) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	305	MOTION to Strike <i>Late Contentions or Alternatively to Continue Case Schedule</i> filed by Arista Networks, Inc.. Motion Hearing set for 10/27/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 6/27/2016. Replies due by 7/5/2016. (Attachments: # 1 Proposed Order)(Ferrall, Brian) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	306	Declaration of Eduardo E. Santacana in Support of 305 MOTION to Strike <i>Late Contentions or Alternatively to Continue Case Schedule</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22)(Related document(s) 305) (Santacana, Eduardo) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	307	Declaration of Andre Pech in Support of 305 MOTION to Strike <i>Late Contentions or Alternatively to Continue Case Schedule</i> filed by Arista Networks, Inc.. (Related document(s) 305) (Santacana, Eduardo) (Filed on 6/13/2016) (Entered: 06/13/2016)
06/13/2016	308	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 304 Administrative Motion to File Under Seal (Santacana, Eduardo) (Filed on 6/13/2016) (Entered: 06/13/2016)

06/15/2016	309	ORDER DISMISSING CLAIMS OF INFRINGEMENT UNDER U.S. PATENT NO. 7,953,886. Signed by Judge Beth Labson Freeman on 6/15/2016. (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/15/2016	310	ORDER CONSTRUING CLAIMS IN U.S. PATENT NO. 7,047,526. Signed by Judge Beth Labson Freeman on 6/15/2016. (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/15/2016		(Court only) ***Motion 144 terminated per 310 . (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/15/2016		(Court only) ***Motion 296 terminated per 297 . (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/15/2016	311	ORDER DENYING 271 , 280 MOTIONS TO SEAL. Signed by Judge Beth Labson Freeman on 6/15/2016. (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/15/2016		(Court only) ***Motion 280 terminated per 311 . (blflc3S, COURT STAFF) (Filed on 6/15/2016) (Entered: 06/15/2016)
06/16/2016	312	RESPONSE (re 278 MOTION to Compel <i>Discovery Responses</i>) filed byCisco Systems Inc. (Attachments: # 1 Declaration Kevin Almeroth Declaration)(Neukom, John) (Filed on 6/16/2016) (Entered: 06/16/2016)
06/16/2016	313	DECLARATION of John M. Neukom in Opposition to 312 Opposition/Response to Motion (<i>In Support of Cisco Opposition to Arista Motion to Compel</i>) filed byCisco Systems Inc. (Attachments: # 1 Exhibit Exh. 1/A (Part 1), # 2 Exhibit Exh. 1/A (Part 2), # 3 Exhibit Exh. 1/A (Part 3), # 4 Exhibit Exh. 1/A (Part 4), # 5 Exhibit Exh. 1/A (Part 5), # 6 Exhibit Exh. 1/A (Part 6), # 7 Exhibit Exh. 2/B, # 8 Exhibit Exh. 3/C)(Related document(s) 312) (Neukom, John) (Filed on 6/16/2016) (Entered: 06/16/2016)
06/16/2016	314	MOTION for Leave to File <i>Reply in Support of Arista's Motion to Compel</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A - Proposed Reply in Support of Arista's Motion to Compel)(Ferrall, Brian) (Filed on 6/16/2016) (Entered: 06/16/2016)
06/16/2016	315	Order granting 314 Motion for Leave to File entered by Magistrate Judge Nathanael M. Cousins. (This is a text-only entry generated by the court. There is no document associated with this entry.) (Entered: 06/16/2016)
06/16/2016	317	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Further Case Management Conference held on 6/16/2016. NO FURHTER DATES SET AT THIS TIME. FTR Time: 11:25 - 12:15. Plaintiff Attorney: Kathleen Sullivan, Amy Candido. Defendant Attorney: Robert Van Nest, David Silbert, Brian Ferrall. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 6/16/2016) (Entered: 06/17/2016)
06/17/2016	316	REPLY (re 278 MOTION to Compel <i>Discovery Responses</i>) filed byArista Networks, Inc.. (Ferrall, Brian) (Filed on 6/17/2016) (Entered: 06/17/2016)
06/17/2016	318	Declaration of Sara Jenkins in Support of 304 Administrative Motion to File Under Seal filed byCisco Systems Inc. (Related document(s) 304) (Jenkins, Sara) (Filed on 6/17/2016) (Entered: 06/17/2016)
06/20/2016	319	ORDER RE: DISCOVERY DISPUTES. Motion to Strike Late Contentions 305 is set for hearing on 7/27/2016 02:00 PM in Courtroom 7, 4th Floor, San Jose. No change in the briefing schedule. Signed by Judge Nathanael Cousins on 6/20/2016. (lmh, COURT STAFF) (Filed on 6/20/2016) (Entered: 06/20/2016)
06/20/2016	320	TRANSCRIPT ORDER for proceedings held on 06/16/2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter FTR - San Jose. (Silbert, David) (Filed on 6/20/2016) (TRANSCRIBER: ECHO REPORTING) Modified on 6/21/2016 (sms, COURT STAFF). (Entered: 06/20/2016)
06/22/2016	 321	Transcript of Proceedings of the official sound recording held on 06/16/16, before Judge Beth Labson Freeman. FTR/Transcriber Echo Reporting, Inc., telephone number 8584537590. Tape Number: FTR 11:25 - 12:15. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through

		PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 320 Transcript Order,) Redaction Request due 7/13/2016. Redacted Transcript Deadline set for 7/25/2016. Release of Transcript Restriction set for 9/20/2016. (Related documents(s) 320) (tgb, COURT STAFF) (Filed on 6/22/2016) (Entered: 06/22/2016)
06/22/2016	322	TRANSCRIPT ORDER for proceedings held on June 16, 0216 before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter FTR - San Jose. (Candido, Amy) (Filed on 6/22/2016) (TRANSCRIBER: ECHO REPORTING) Modified on 6/22/2016 (sms, COURT STAFF). (Entered: 06/22/2016)
06/22/2016		(Court only) TRANSCRIPT COPY DELIVERED re 322 Transcript Order (Related documents(s) 322) (tgb, COURT STAFF) (Filed on 6/22/2016) (Entered: 06/22/2016)
06/27/2016	 323	Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Motion to Strike</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara E. Jenkins, # 2 Cisco's Opposition to Motion to Strike - Redacted, # 3 Cisco's Opposition to Motion to Strike - Sealed, # 4 Exhibit K - Redacted, # 5 Exhibit K - Sealed, # 6 Exhibit L - Redacted, # 7 Exhibit L - Sealed, # 8 Exhibit M - Redacted, # 9 Exhibit M - Sealed, # 10 Exhibit N - Redacted, # 11 Exhibit N - Sealed, # 12 Exhibit O - Redacted, # 13 Exhibit O - Sealed, # 14 Exhibit P - Redacted, # 15 Exhibit P - Sealed, # 16 Proposed Order)(Candido, Amy) (Filed on 6/27/2016) (Entered: 06/28/2016)
06/28/2016	324	Opposition to Motion to Seal (re 305 MOTION to Strike filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Andrew Holmes, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K - Redacted, # 13 Exhibit L - Redacted, # 14 Exhibit M - Redacted, # 15 Exhibit N - Redacted, # 16 Exhibit O - Redacted, # 17 Exhibit P - Redacted)(Candido, Amy) (Filed on 6/28/2016) Modified on 6/29/2016 (bwS, COURT STAFF). (Entered: 06/28/2016)
06/29/2016	325	NOTICE of Appearance by Andrea Christina Nill Sanchez (Nill Sanchez, Andrea) (Filed on 6/29/2016) (Entered: 06/29/2016)
06/30/2016	326	STIPULATION WITH PROPOSED ORDER <i>Joint Stipulation to Hold Deposition of Douglas W. Clark After Close of Liability Expert Discovery</i> filed by Arista Networks, Inc.. (Rosen, David) (Filed on 6/30/2016) (Entered: 06/30/2016)
06/30/2016	327	ORDER GRANTING 326 JOINT STIPULATION TO HOLD DEPOSITION OF DOUGLAS W. CLARK AFTER CLOSE OF LIABILITY EXPERT DISCOVERY. Signed by Judge Beth Labson Freeman on 6/30/2016. (bflc3S, COURT STAFF) (Filed on 6/30/2016) (Entered: 06/30/2016)
06/30/2016	 328	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Exhibit 1-SEALED, # 4 Exhibit 2-SEALED, # 5 Exhibit 3-SEALED, # 6 Exhibit 7-SEALED, # 7 Exhibit 8-SEALED, # 8 Exhibit 9-SEALED, # 9 Exhibit 10-SEALED, # 10 Exhibit 11-SEALED, # 11 Exhibit 16-SEALED, # 12 Exhibit 17-SEALED, # 13 Exhibit 18-SEALED, # 14 Exhibit 19-Part 1 of 3-SEALED, # 15 Exhibit 19-Part 2 of 3-SEALED, # 16 Exhibit 19-Part 3 of 3-SEALED, # 17 Exhibit 22-SEALED, # 18 Exhibit 23-SEALED, # 19 Exhibit 24-SEALED)(Ferrall, Brian) (Filed on 6/30/2016) (Entered: 06/30/2016)
06/30/2016	329	MOTION for Partial Summary Judgment filed by Arista Networks, Inc.. Motion Hearing set for 8/4/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 7/14/2016. Replies due by 7/21/2016. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Proposed Order)(Ferrall, Brian) (Filed on 6/30/2016) Please See Document Number #349 for Correction. Modified on 7/5/2016 (srnS, COURT STAFF). (Entered: 06/30/2016)
06/30/2016	330	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 328 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 6/30/2016) (Entered: 06/30/2016)
07/01/2016	 331	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara Jenkins, # 2 Proposed Order, # 3 Redacted Version of Motion for Partial Summary Judgment, # 4

		Unredacted Version of Motion for Partial Summary Judgment)(Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 332	Declaration of Kevin Almeroth in Support of Motion for Partial Summary Judgment and EXHIBITS re 331 Administrative Motion to File Under Seal filed byCisco Systems Inc. (Attachments: # 1 Redacted Exhibit 1, # 2 Sealed Exhibit 1, # 3 Redacted Exhibit 2, # 4 Sealed Exhibit 2)(Related document(s) 331) (Jenkins, Sara) (Filed on 7/1/2016) Modified on 7/1/2016 (srnS, COURT STAFF). (Entered: 07/01/2016)
07/01/2016	 333	Declaration of Judith A. Chevalier in Support of Motion for Partial Summary Judgment and EXHIBITS re 331 Administrative Motion to File Under Seal filed byCisco Systems Inc. (Attachments: # 1 Redacted Exhibit 1, # 2 Sealed Exhibit 1)(Related document(s) 331) (Jenkins, Sara) (Filed on 7/1/2016) Modified on 7/1/2016 (srnS, COURT STAFF). (Entered: 07/01/2016)
07/01/2016	334	Proposed Order re 331 Administrative Motion to File Under Seal [<i>Proposed</i>] <i>Order Granting Motion for Partial Summary Judgment</i> by Cisco Systems Inc. (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 335	Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment and EXHIBITS re 331 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Redacted Exhibit 1, # 2 Sealed Exhibit 1, # 3 Redacted Exhibit 2, # 4 Sealed Exhibit 2, # 5 Redacted Exhibit 3, # 6 Sealed Exhibit 3, # 7 Redacted Exhibit 4, # 8 Sealed Exhibit 4, # 9 Redacted Exhibit 5, # 10 Sealed Exhibit 5, # 11 Redacted Exhibit 6, # 12 Sealed Exhibit 6, # 13 Redacted Exhibit 7, # 14 Sealed Exhibit 7, # 15 Redacted Exhibit 8, # 16 Sealed Exhibit 8, # 17 Redacted Exhibit 9, # 18 Sealed Exhibit 9, # 19 Redacted Exhibit 10, # 20 Sealed Exhibit 10)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) Modified on 7/1/2016 (srnS, COURT STAFF). (Entered: 07/01/2016)
07/01/2016	 336	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 11-20 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Attachments: # 1 Sealed Exhibit 11, # 2 Redacted Exhibit 12, # 3 Sealed Exhibit 12, # 4 Redacted Exhibit 13, # 5 Sealed Exhibit 13, # 6 Redacted Exhibit 14, # 7 Sealed Exhibit 14, # 8 Redacted Exhibit 15, # 9 Sealed Exhibit 15, # 10 Redacted Exhibit 16, # 11 Sealed Exhibit 16, # 12 Redacted Exhibit 17, # 13 Sealed Exhibit 17, # 14 Redacted Exhibit 18, # 15 Sealed Exhibit 18, # 16 Redacted Exhibit 19, # 17 Sealed Exhibit 19, # 18 Redacted Exhibit 20, # 19 Sealed Exhibit 20)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 337	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 21-30 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Attachments: # 1 Sealed Exhibit 21, # 2 Redacted Exhibit 22, # 3 Sealed Exhibit 22, # 4 Redacted Exhibit 23, # 5 Sealed Exhibit 23, # 6 Redacted Exhibit 24, # 7 Sealed Exhibit 24, # 8 Redacted Exhibit 25, # 9 Sealed Exhibit 25, # 10 Redacted Exhibit 26, # 11 Sealed Exhibit 26, # 12 Exhibit 27, # 13 Exhibit 28, # 14 Exhibit 29, # 15 Exhibit 30)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 338	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 31-40 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Attachments: # 1 Exhibit 32, # 2 Exhibit 33, # 3 Exhibit 34, # 4 Exhibit 35, # 5 Exhibit 36, # 6 Exhibit 37, # 7 Exhibit 38, # 8 Exhibit 39, # 9 Redacted Exhibit 40, # 10 Sealed Exhibit 40)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 339	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 41-44 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Attachments: # 1 Sealed Exhibit 41, # 2 Exhibit 42, # 3 Redacted Exhibit 43, # 4 Sealed Exhibit 43, # 5 Exhibit 44)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 340	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibit 45 Part 1 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Attachments: # 1 Sealed Exhibit 45 Part 1)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 341	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibit 45 Part 2 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)

07/01/2016	 342	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibit 45 Part 3 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 343	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 46-50 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Sealed Exhibit 46, # 2 Redacted Exhibit 47, # 3 Sealed Exhibit 47, # 4 Redacted Exhibit 48, # 5 Sealed Exhibit 48, # 6 Exhibit 49, # 7 Redacted Exhibit 50, # 8 Sealed Exhibit 50)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 344	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 51-55 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Sealed Exhibit 51, # 2 Redacted Exhibit 51, # 3 Sealed Exhibit 52, # 4 Redacted Exhibit 53, # 5 Sealed Exhibit 53, # 6 Redacted Exhibit 54, # 7 Sealed Exhibit 54, # 8 Redacted Exhibit 55, # 9 Sealed Exhibit 55)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 345	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 56-65 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Exhibit 57, # 2 Redacted Exhibit 58, # 3 Sealed Exhibit 58, # 4 Exhibit 59, # 5 Exhibit 60, # 6 Exhibit 61, # 7 Exhibit 62, # 8 Exhibit 63, # 9 Redacted Exhibit 64, # 10 Sealed Exhibit 58, # 11 Redacted Exhibit 64, # 12 Sealed Exhibit 58)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 346	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 66-75 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Sealed Exhibit 66, # 2 Redacted Exhibit 67, # 3 Sealed Exhibit 67, # 4 Redacted Exhibit 68, # 5 Sealed Exhibit 68, # 6 Redacted Exhibit 69, # 7 Sealed Exhibit 69, # 8 Redacted Exhibit 70, # 9 Sealed Exhibit 70, # 10 Exhibit 71, # 11 Redacted Exhibit 72, # 12 Sealed Exhibit 72, # 13 Exhibit 73, # 14 Redacted Exhibit 74, # 15 Sealed Exhibit 74, # 16 Redacted Exhibit 75, # 17 Sealed Exhibit 75)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	 347	EXHIBITS re 331 Administrative Motion to File Under Seal <i>Exhibits 76-82 to Declaration of Amy H. Candido In Support of Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Sealed Exhibit 76, # 2 Redacted Exhibit 77, # 3 Sealed Exhibit 77, # 4 Redacted Exhibit 78, # 5 Sealed Exhibit 78, # 6 Redacted Exhibit 79, # 7 Sealed Exhibit 79, # 8 Redacted Exhibit 80, # 9 Sealed Exhibit 80, # 10 Redacted Exhibit 81, # 11 Sealed Exhibit 81, # 12 Redacted Exhibit 82, # 13 Sealed Exhibit 82)(Related document(s) 331) (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	348	MOTION for Partial Summary Judgment filed by Cisco Systems Inc. Motion Hearing set for 8/4/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 7/14/2016. Replies due by 7/21/2016. (Pak, Sean) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	349	ERRATA re 329 MOTION for Partial Summary Judgment <i>CORRECTION OF DOCKET # 329 (Tables of Contents and Authorities)</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	350	STIPULATION WITH PROPOSED ORDER <i>REGARDING EXPERT DISCOVERY</i> filed by Cisco Systems Inc. (Neukom, John) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	351	MOTION for Extension of Time to File <i>Arista's Unopposed Local Rule 79-5(e)(2) Request and [Proposed] Order for Additional Time to File Sealing Declaration Re: Cisco's Administrative Motion to File Under Seal, ECF 331</i> filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	352	Declaration of Joshua Glucoft in Support of 331 Administrative Motion to File Under Seal filed by Juniper Networks, Inc.. (Related document(s) 331) (Glucoft, Joshua) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	353	ORDER GRANTING 350 STIPULATION RE: EXPERT DISCOVERY. Signed by Judge Beth Labson Freeman on 7/1/2016. (blflc3S, COURT STAFF) (Filed on 7/1/2016) (Entered: 07/01/2016)










07/01/2016	354	ORDER GRANTING 351 REQUEST FOR ADDITIONAL TIME TO FILE SEALING DECLARATION RE: ECF 331. Signed by Judge Beth Labson Freeman on 7/1/2016. (blflc3S, COURT STAFF) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	355	CERTIFICATE OF SERVICE by Cisco Systems Inc <i>on Defendant</i> (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	356	CERTIFICATE OF SERVICE by Cisco Systems Inc re 331 Administrative Motion to File Under Seal (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	357	CERTIFICATE OF SERVICE by Cisco Systems Inc re 331 Administrative Motion to File Under Seal (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	358	CERTIFICATE OF SERVICE by Cisco Systems Inc re 331 Administrative Motion to File Under Seal (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	359	CERTIFICATE OF SERVICE by Cisco Systems Inc re 323 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Motion to Strike</i> (Jenkins, Sara) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/01/2016	360	CERTIFICATE OF SERVICE by Cisco Systems Inc re 331 Administrative Motion to File Under Seal (Candido, Amy) (Filed on 7/1/2016) (Entered: 07/01/2016)
07/05/2016	361	ORDER DENYING ARISTA'S MOTION TO COMPEL AS TO INTERROGATORIES NOS. 24, 25. Re: Dkt. No. 278 . Signed by Judge Nathanael Cousins. (lmh, COURT STAFF) (Filed on 7/5/2016) (Entered: 07/05/2016)
07/05/2016	 362	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Redacted Version of Arista's Reply, # 4 Unredacted Version of Arista's Reply)(Ferrall, Brian) (Filed on 7/5/2016) (Entered: 07/05/2016)
07/05/2016	363	REPLY (re 305 MOTION to Strike <i>Late Contentions or Alternatively to Continue Case Schedule</i>) filed byArista Networks, Inc.. (Ferrall, Brian) (Filed on 7/5/2016) (Entered: 07/05/2016)
07/05/2016	364	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 362 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 7/5/2016) (Entered: 07/05/2016)
07/05/2016	365	Declaration of Sara E. Jenkins in Support of 328 Administrative Motion to File Under Seal <i>Material Submitted with Arista's Motion for Partial Summary Judgment</i> filed byCisco Systems Inc. (Related document(s) 328) (Jenkins, Sara) (Filed on 7/5/2016) (Entered: 07/05/2016)
07/06/2016	366	Declaration of Joshua Glucoft in Support of 323 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Motion to Strike</i> filed byJuniper Networks, Inc.. (Related document(s) 323) (Glucoft, Joshua) (Filed on 7/6/2016) (Entered: 07/06/2016)
07/08/2016	367	Declaration of David Silbert in Support of 331 Administrative Motion to File Under Seal filed byArista Networks, Inc.. (Related document(s) 331) (Silbert, David) (Filed on 7/8/2016) (Entered: 07/08/2016)
07/11/2016	368	STIPULATION WITH PROPOSED ORDER <i>TO HOLD DEPOSITION OF MAZEN RAWASHDEH AFTER CLOSE OF FACT DISCOVERY</i> filed by Cisco Systems Inc. (Gearing, Brian) (Filed on 7/11/2016) (Entered: 07/11/2016)
07/11/2016	369	ORDER GRANTING 368 JOINT STIPULATION TO HOLD DEPOSITION OF MAZEN RAWASHDEH AFTER CLOSE OF FACT DISCOVERY. Signed by Judge Beth Labson Freeman on 7/11/2016. (blflc3S, COURT STAFF) (Filed on 7/11/2016) (Entered: 07/11/2016)
07/11/2016	370	NOTICE of Appearance by Michael Allan Wueste (Wueste, Michael) (Filed on 7/11/2016) (Entered: 07/11/2016)
07/14/2016	 371	Administrative Motion to File Under Seal <i>Materials In Support of Cisco's Opposition to Arista's Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara Jenkins ISO Admin Motion to Seal, # 2 Proposed Order Proposed Order, # 3 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 1, # 4 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 2, # 5 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 3, # 6 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 4, # 7 Exhibit Redacted (Public) Version of Neukom Exhibit 6, # 8 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 6, # 9 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 9, # 10 Exhibit Unredacted (Non-Public) Version of Neukom



		Exhibit 36, # 11 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 37, # 12 Exhibit Redacted (Public) Version of Neukom Exhibit 46, # 13 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 46, # 14 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 51, # 15 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 52, # 16 Exhibit Redacted (Public) Version of Neukom Exhibit 53, # 17 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 53, # 18 Exhibit Unredacted (Non-Public) Version of Jeffay Exhibit 1, # 19 Exhibit Redacted (Public) Version of Almeroth Exhibit 1, # 20 Exhibit Unredacted (Non-Public) Version of Almeroth Exhibit 1, # 21 Exhibit Redacted (Public) Version of Almeroth Exhibit 2, # 22 Exhibit Unredacted (Non-Public) Version of Almeroth Exhibit 2, # 23 Exhibit Unredacted (Non-Public) Version of Almeroth Exhibit 3, # 24 Exhibit Redacted (Public) Version of Cisco's Opposition to Arista's Motion for Partial Summary Judgment, # 25 Exhibit Unredacted (Non-Public) Version of Cisco's Opposition to Arista's Motion for Partial Summary Judgment)(Neukom, John) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	372	RESPONSE (re 329 MOTION for Partial Summary Judgment) filed byCisco Systems Inc. (Attachments: # 1 Declaration of John Neukom ISO Cisco's Opposition to Arista's Motion for Partial Summary Judgment, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17, # 19 Exhibit 18, # 20 Exhibit 19, # 21 Exhibit 20, # 22 Exhibit 21, # 23 Exhibit 22, # 24 Exhibit 23, # 25 Exhibit 24, # 26 Exhibit 25, # 27 Exhibit 26, # 28 Exhibit 27, # 29 Exhibit 28, # 30 Exhibit 29, # 31 Exhibit 30, # 32 Exhibit 31, # 33 Exhibit 32, # 34 Exhibit 33, # 35 Exhibit 34, # 36 Exhibit 35, # 37 Exhibit 36, # 38 Exhibit 37, # 39 Exhibit 38, # 40 Exhibit 39, # 41 Exhibit 40, # 42 Exhibit 41, # 43 Exhibit 42, # 44 Exhibit 43, # 45 Exhibit 44 (Part 1 of 2), # 46 Exhibit 44 (Part 2 of 2), # 47 Exhibit 45, # 48 Exhibit 46, # 49 Exhibit 47, # 50 Exhibit 48, # 51 Exhibit 49 (Part 1 of 3), # 52 Exhibit 49 (Part 2 of 3), # 53 Exhibit 49 (Part 3 of 3), # 54 Exhibit 50, # 55 Exhibit 51, # 56 Exhibit 52, # 57 Exhibit 53)(Neukom, John) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	373	Declaration of Dr. Kevin Almeroth in Support of 372 Opposition/Response to Motion,,,,, filed byCisco Systems Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)(Related document(s) 372) (Neukom, John) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	374	Declaration of Dr. Kevin Jeffay in Support of 372 Opposition/Response to Motion,,,,, filed byCisco Systems Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Related document(s) 372) (Neukom, John) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	375	CERTIFICATE OF SERVICE by Cisco Systems Inc re 371 Administrative Motion to File Under Seal <i>Materials In Support of Cisco's Opposition to Arista's Motion for Partial Summary Judgment</i> (Jenkins, Sara) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	376	CERTIFICATE OF SERVICE by Cisco Systems Inc re 371 Administrative Motion to File Under Seal <i>Materials In Support of Cisco's Opposition to Arista's Motion for Partial Summary Judgment</i> (Jenkins, Sara) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	377	CERTIFICATE OF SERVICE by Cisco Systems Inc re 371 Administrative Motion to File Under Seal <i>Materials In Support of Cisco's Opposition to Arista's Motion for Partial Summary Judgment</i> (Jenkins, Sara) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	 378	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong, # 2 Proposed Order, # 3 Redacted Version of Arista's Oppo to Partial MSJ, # 4 Unredacted Version of Arista's Oppo to Partial MSJ, # 5 Ex 1 to Wong Declaration, # 6 Ex 2 to Wong Declaration, # 7 Ex 4 to Wong Declaration, # 8 Ex 5 to Wong Declaration, # 9 Ex 7 to Wong Declaration, # 10 Ex 8 to Wong Declaration, # 11 Ex 9C to Wong Declaration, # 12 Ex 9D to Wong Declaration, # 13 Ex 9E to Wong Declaration, # 14 Ex 9F to Wong Declaration, # 15 Ex 11 to Wong Declaration, # 16 Ex 13 to Wong Declaration, # 17 Ex 14 to Wong Declaration, # 18 Ex 15 Part 1 of 2 to Wong Declaration, # 19 Ex 15 Part 2 of 2 to Wong Declaration, # 20 Ex 16 to Wong Declaration, # 21 Ex 17 to Wong Declaration, # 22 Ex 18 to Wong Declaration, # 23 Ex 19 to Wong Declaration, # 24 ex 20 to Wong Declaration, # 25 Ex 21 to Wong Declaration, # 26 Ex 22 to Wong Declaration, # 27 Ex 24 to Wong Declaration, # 28 Ex 25 to Wong Declaration, # 29 Ex 26 to Wong Declaration, # 30 Ex 27 to Wong Declaration, # 31 Ex 28 to Wong Declaration, # 32 Ex 29 to Wong Declaration, # 33 Ex 30 to Wong Declaration)(Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)

07/14/2016	 379	EXHIBITS re 378 Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 EX 32 to Wong Declaration, # 2 EX 33 to Wong Declaration, # 3 EX 34 to Wong Declaration, # 4 EX 36 to Wong Declaration, # 5 EX 37 to Wong Declaration, # 6 EX 38 to Wong Declaration, # 7 EX 41 to Wong Declaration, # 8 EX 42 to Wong Declaration, # 9 EX 43 to Wong Declaration, # 10 EX 44 to Wong Declaration, # 11 EX 45 to Wong Declaration, # 12 EX 46 to Wong Declaration, # 13 EX 47 to Wong Declaration, # 14 EX 48 to Wong Declaration, # 15 EX 49 to Wong Declaration, # 16 EX 50 to Wong Declaration, # 17 EX 51 to Wong Declaration, # 18 EX 52 to Wong Declaration, # 19 EX 53 to Wong Declaration, # 20 EX 54 to Wong Declaration, # 21 EX 55 to Wong Declaration, # 22 EX 56 to Wong Declaration, # 23 EX 57 to Wong Declaration, # 24 EX 58 to Wong Declaration, # 25 EX 59 to Wong Declaration, # 26 EX 60 to Wong Declaration, # 27 EX 61 to Wong Declaration, # 28 EX 62 to Wong Declaration, # 29 EX 63 to Wong Declaration, # 30 EX 64a to Wong Declaration, # 31 Ex 38 to Black Declaration, # 32 Redacted Version of Ex 1 to to Black Declaration, # 33 Unredacted Version of Ex 1 to to Black Declaration, # 34 Ex 2 to Elsten Declaration, # 35 Redacted Version of Ex 1 to Elsten Declaration, # 36 Unredacted Version of Ex 1 to Elsten Declaration, # 37 Redacted Version of Ex 1 to Seifert Declaration, # 38 Unredacted Version of Ex 1 to Seifert Declaration)(Related document(s) 378) (Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	380	RESPONSE (re 348 MOTION for Partial Summary Judgment) filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9A, # 11 Exhibit 9B, # 12 Exhibit 9C, # 13 Exhibit 9D, # 14 Exhibit 9E, # 15 Exhibit 9F, # 16 Exhibit 9G, # 17 Exhibit 10, # 18 Exhibit 11, # 19 Exhibit 12, # 20 Exhibit 13, # 21 Exhibit 14, # 22 Exhibit 15 Part 1 of 2, # 23 Exhibit 15 Part 2 of 2, # 24 Exhibit 16, # 25 Exhibit 17, # 26 Exhibit 18, # 27 Exhibit 19, # 28 Exhibit 20, # 29 Exhibit 21, # 30 Exhibit 22, # 31 Exhibit 23, # 32 Exhibit 24, # 33 Exhibit 25, # 34 Exhibit 26, # 35 Exhibit 27, # 36 Exhibit 28, # 37 Exhibit 29, # 38 Exhibit 30, # 39 Exhibit 31, # 40 Exhibit 32, # 41 Exhibit 33, # 42 Exhibit 34, # 43 Exhibit 35, # 44 Exhibit 36, # 45 Exhibit 37, # 46 Exhibit 38, # 47 Exhibit 39, # 48 Exhibit 40, # 49 Exhibit 41, # 50 Exhibit 42, # 51 Exhibit 43, # 52 Exhibit 44, # 53 Exhibit 45, # 54 Exhibit 46, # 55 Exhibit 47, # 56 Exhibit 48, # 57 Exhibit 49, # 58 Exhibit 50, # 59 Exhibit 51, # 60 Exhibit 52, # 61 Exhibit 53, # 62 Exhibit 54, # 63 Exhibit 55, # 64 Exhibit 56, # 65 Exhibit 57, # 66 Exhibit 58, # 67 Exhibit 59, # 68 Exhibit 60, # 69 Exhibit 61, # 70 Exhibit 62, # 71 Exhibit 63, # 72 Exhibit 64a, # 73 Exhibit 64b, # 74 Exhibit 64c, # 75 Exhibit 64d, # 76 Exhibit 64e, # 77 Exhibit 64f)(Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	381	Declaration of John Black in Support of 380 Opposition/Response to Motion,,,,, filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39, # 40 Exhibit 40, # 41 Exhibit 41, # 42 Exhibit 42, # 43 Exhibit 43, # 44 Exhibit 44, # 45 Exhibit 45, # 46 Exhibit 46, # 47 Exhibit 47, # 48 Exhibit 48, # 49 Exhibit 49, # 50 Exhibit 50, # 51 Exhibit 51, # 52 Exhibit 52, # 53 Exhibit 53, # 54 Exhibit 54, # 55 Exhibit 55, # 56 Exhibit 56, # 57 Exhibit 57, # 58 Exhibit 58, # 59 Exhibit 59, # 60 Exhibit 60, # 61 Exhibit 61, # 62 Exhibit 62, # 63 Exhibit 63, # 64 Exhibit 64, # 65 Exhibit 65 Part 1 of 8, # 66 Exhibit 65 Part 2 of 8, # 67 Exhibit 65 Part 3 of 8, # 68 Exhibit 65 Part 4 of 8, # 69 Exhibit 65 Part 5 of 8, # 70 Exhibit 65 Part 6 of 8, # 71 Exhibit 65 Part 7 of 8, # 72 Exhibit 65 Part 8 of 8, # 73 Exhibit 66)(Related document(s) 380) (Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	382	Declaration of Cate Elsten in Support of 380 Opposition/Response to Motion,,,,, filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Related document(s) 380) (Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	383	Declaration of William M. Seifert in Support of 380 Opposition/Response to Motion,,,,, filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit William M. Seifert)(Related document(s) 380) (Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/14/2016	384	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 378 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 7/14/2016) (Entered: 07/14/2016)
07/15/2016	385	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Santacana, Eduardo) (Filed on 7/15/2016) (Entered: 07/15/2016)




07/15/2016	386	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Santacana, Eduardo) (Filed on 7/15/2016) (Entered: 07/15/2016)
07/15/2016	387	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Santacana, Eduardo) (Filed on 7/15/2016) (Entered: 07/15/2016)
07/15/2016	388	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Santacana, Eduardo) (Filed on 7/15/2016) (Entered: 07/15/2016)
07/15/2016	389	Declaration of Joshua Glucoft in Support of 378 Administrative Motion to File Under Seal filed by Juniper Networks, Inc.. (Related document(s) 378) (Glucoft, Joshua) (Filed on 7/15/2016) (Entered: 07/15/2016)
07/18/2016	390	DECLARATION OF RODERICK M. THOMPSON ON BEHALF OF THIRD PARTY DELL INC. IN SUPPORT OF ARISTA NETWORK, INC.S ADMINISTRATIVE MOTION TO FILE DOCUMENTS UNDER SEAL 278 Administrative Motion to File Under Seal filed by Dell Inc. (Attachments: # 1 Exhibit A, # 2 Exhibit B) (Thompson, Roderick) (Filed on 7/18/2016) Modified on 7/19/2016 (bwS, COURT STAFF). (Entered: 07/18/2016)
07/18/2016	391	LOCAL RULE 79-5(e)(2) REQUEST AND [PROPOSED] ORDER FOR ADDITIONAL TIME TO FILE SEALING DECLARATIONS RE: CISCO'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL, ECF 371; ARISTAS ADMINISTRATIVE MOTION TO FILE UNDER SEAL, ECF 378 filed by Cisco Systems Inc. (Jaffe, Jordan) (Filed on 7/18/2016) Modified on 7/19/2016 (bwS, COURT STAFF). (Entered: 07/18/2016)
07/19/2016	392	ORDER GRANTING 391 REQUEST FOR ADDITIONAL TIME TO FILE SEALING DECLARATIONS RE: CISCO'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL, ECF 371 ; ARISTA'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL, ECF 378 . Signed by Judge Beth Labson Freeman on 7/19/2016. (blflc3S, COURT STAFF) (Filed on 7/19/2016) (Entered: 07/19/2016)
07/21/2016	 393	Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Redacted Version of Arista's Reply, # 4 Unredacted Version of Arista's Reply)(Ferrall, Brian) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	394	REPLY (re 329 MOTION for Partial Summary Judgment) filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A, # 3 Exhibit B)(Ferrall, Brian) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	395	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 393 Administrative Motion to File Under Seal (Ferrall, Brian) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	 396	Administrative Motion to File Under Seal <i>Materials for Cisco Reply Brief in Support of Cisco Motion for Partial Summary Judgment</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara Jenkins I/S/O Admin. Motion to File Under Seal, # 2 Proposed Order, # 3 Exhibit Redacted (Public) Version of Cisco Reply I/S/O Motion for Partial Summary Judgment, # 4 Exhibit Unredacted (Non-Public) Version of Cisco Reply I/S/O Motion for Partial Summary Judgment, # 5 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 1, # 6 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 2, # 7 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 3, # 8 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 4, # 9 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 5, # 10 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 6, # 11 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 7, # 12 Exhibit Unredacted (Non-Public) Version of Neukom Exhibit 8)(Neukom, John) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	397	REPLY (re 348 MOTION for Partial Summary Judgment) filed by Cisco Systems Inc. (Attachments: # 1 Declaration of John Neukom in Support of Cisco Reply Brief in Support of Cisco Motion for Partial Summary Judgment, # 2 Exhibit Exhibit No. 1 to Neukom Declaration, # 3 Exhibit Exhibit No. 2 to Neukom Declaration, # 4 Exhibit Exhibit No. 3 to Neukom Declaration, # 5 Exhibit Exhibit No. 4 to Neukom Declaration, # 6 Exhibit Exhibit No. 5 to Neukom Declaration, # 7 Exhibit Exhibit No. 6 to Neukom Declaration, # 8 Exhibit Exhibit No. 7 to Neukom Declaration, # 9 Exhibit Exhibit No. 8 to Neukom Declaration)(Neukom, John) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/21/2016	398	CERTIFICATE OF SERVICE by Cisco Systems Inc re 396 Administrative Motion to File Under Seal <i>Materials for Cisco Reply Brief in Support of Cisco Motion for Partial Summary Judgment</i> (Jenkins,



		Sara) (Filed on 7/21/2016) (Entered: 07/21/2016)
07/22/2016	399	Declaration of Ryan Wong in Support of 371 Administrative Motion to File Under Seal <i>Materials In Support of Cisco's Opposition to Arista's Motion for Partial Summary Judgment</i> filed by Arista Networks, Inc.. (Related document(s) 371) (Wong, Ryan) (Filed on 7/22/2016) (Entered: 07/22/2016)
07/22/2016	400	STIPULATION WITH PROPOSED ORDER (<i>JOINT STIPULATION</i>) filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 7/22/2016) (Entered: 07/22/2016)
07/22/2016	401	Declaration of Sara E. Jenkins in Support of 378 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 378) (Jenkins, Sara) (Filed on 7/22/2016) (Entered: 07/22/2016)
07/25/2016	402	Declaration of Eduardo E. Santacana in Support of 396 Administrative Motion to File Under Seal <i>Materials for Cisco Reply Brief in Support of Cisco Motion for Partial Summary Judgment</i> filed by Arista Networks, Inc.. (Related document(s) 396) (Santacana, Eduardo) (Filed on 7/25/2016) (Entered: 07/25/2016)
07/26/2016	 403	Administrative Motion to File Under Seal <i>re: Joint Discovery Letter</i> filed by Arista Networks, Inc.. (Attachments: # 1 Proposed Order, # 2 Declaration of Eduardo E. Santacana, # 3 Exhibit J)(Ferrall, Brian) (Filed on 7/26/2016) (Entered: 07/26/2016)
07/26/2016	404	Discovery Letter Brief <i>re: Cisco's Privilege Claims</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K)(Ferrall, Brian) (Filed on 7/26/2016) (Entered: 07/26/2016)
07/26/2016	405	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 403 Administrative Motion to File Under Seal <i>re: Joint Discovery Letter</i> (Santacana, Eduardo) (Filed on 7/26/2016) (Entered: 07/26/2016)
07/26/2016	406	ORDER GRANTING AS MODIFIED BY THE COURT 400 JOINT STIPULATION TO AMEND SCHEDULING ORDER. Signed by Judge Beth Labson Freeman on 7/26/2016. (blflc3S, COURT STAFF) (Filed on 7/26/2016) (Entered: 07/26/2016)
07/26/2016	407	JOINT CASE MANAGEMENT STATEMENT <i>REGARDING ARISTA'S MOTION TO STRIKE (DKT. 305)</i> filed by Cisco Systems Inc. (Neukom, John) (Filed on 7/26/2016) (Entered: 07/26/2016)
07/27/2016	408	Minute Entry for proceedings held before Magistrate Judge Nathanael M. Cousins. Motion Hearing held on 7/27/2016: - The Court GRANTS the parties' proposal in docket 407 . The parties may take one deposition of up to 5 hours to be completed by August 19 on the topic of lost profits; - Motion in docket 404 re: privilege log is DENIED; - Motion to strike Cisco's amended contentions in docket 305 is DENIED. Plaintiff's Attorneys: Sean Pak, John Neukom. Defendant's Attorneys: Brian Ferrall, Eduardo Santacana. (FTR Time 2:04pm - 3:16pm.)This is a text only Minute Entry. (lmh, COURT STAFF) (Date Filed: 7/27/2016) (Entered: 07/28/2016)
07/29/2016	409	**** FILED IN ERROR - DISREGARD ***TRANSCRIPT ORDER for proceedings held on 7/27/16 before Magistrate Judge Nathanael M. Cousins by Arista Networks, Inc., for Court Reporter FTR - San Francisco. (Ferrall, Brian) (Filed on 7/29/2016) Modified on 8/1/2016 (sp, COURT STAFF). (Entered: 07/29/2016)
08/01/2016	410	TRANSCRIPT ORDER for proceedings held on 7/27/16 before Magistrate Judge Nathanael M. Cousins by Arista Networks, Inc., for Court Reporter FTR - San Jose. (Ferrall, Brian) (Filed on 8/1/2016) (TRANSCRIBER: JOAN COLUMBINI) Modified on 8/1/2016 (sms, COURT STAFF). (Entered: 08/01/2016)
08/01/2016	411	ORDER RE: ADMINISTRATIVE MOTION TO SEAL. Re: Dkt. Nos. 286 304 323 362 403 . Signed by Judge Nathanael Cousins. (lmh, COURT STAFF) (Filed on 8/1/2016) (Entered: 08/01/2016)




08/02/2016	 412	Transcript of Proceedings held on July 27, 2016, before Judge Nathanael Cousins. Court Reporter/Transcriber Joan Marie Columbini, CSR, telephone number joan.columbini.csr@gmail.com 510-367-3043. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (410 in 5:14-cv-05344-BLF) Transcript Order,) Redaction Request due 8/23/2016. Redacted Transcript Deadline set for 9/2/2016. Release of Transcript Restriction set for 10/31/2016. (Columbini, Joan) (Filed on 8/2/2016) (Entered: 08/02/2016)
08/02/2016	413	TRANSCRIPT ORDER for proceedings held on July 27, 2016 before Magistrate Judge Nathanael M. Cousins by Cisco Systems Inc, for Court Reporter Joan Columbini. (Pak, Sean) (Filed on 8/2/2016) (Entered: 08/02/2016)
08/04/2016	414	Declaration of Sara E. Jenkins in Support of 411 Order on Administrative Motion to File Under Seal, 362 Administrative Motion to File Under Seal , 286 Administrative Motion to File Under Seal , 304 Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Related document(s) 411 , 362 , 286 , 304) (Jenkins, Sara) (Filed on 8/4/2016) (Entered: 08/04/2016)
08/04/2016	415	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 8/4/2016. re 329 MOTION for Partial Summary Judgment filed by Arista Networks, Inc., 348 MOTION for Partial Summary Judgment filed by Cisco Systems Inc. Motion Hearing set for 8/8/2016 02:30 PM before Hon. Beth Labson Freeman.Total Time in Court: 2:32. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Kathleen Sullivan, Sean Sang-Chul Pak. Defendant Attorney: David Silbert, Robert Van Nest, Ryan Wong, Brian Ferrall. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 8/4/2016) (Entered: 08/05/2016)
08/05/2016	416	TRANSCRIPT ORDER for proceedings held on August 4, 2016 before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	417	***FILED IN ERROR - See doc #418***TRANSCRIPT ORDER for proceedings held on August 4, 2016 before Magistrate Judge Nathanael M. Cousins by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 8/5/2016) Modified on 8/8/2016 (sp, COURT STAFF). (Entered: 08/05/2016)
08/05/2016	418	TRANSCRIPT ORDER for proceedings held on August 4, 2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	 419	Administrative Motion to File Under Seal <i>Defendant Arista's Motion to Strike Expert Testimony of Dr. Kevin C. Almeroth</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan K. Wong in Support of Motion to File Under Seal, # 2 Proposed Order Granting Motion to File Under Seal, # 3 Notice & Motion to Strike Expert Testimony of Dr. Kevin C. Almeroth (REDACTED), # 4 Notice & Motion to Strike Expert Testimony of Dr. Kevin C. Almeroth (UNREDACTED), # 5 Declaration of Ryan K. Wong in Support of Motion to Strike, # 6 Exhibit 1 to Declaration of Ryan K. Wong (REDACTED), # 7 Exhibit 2 to Declaration of Ryan K. Wong (REDACTED), # 8 Exhibit 3 to Declaration of Ryan K. Wong (REDACTED), # 9 Exhibit 4 to Declaration of Ryan K. Wong (REDACTED), # 10 Exhibit 1 to Declaration of Ryan K. Wong (UNREDACTED), # 11 Exhibit 2 to Declaration of Ryan K. Wong (UNREDACTED), # 12 Exhibit 3 to Declaration of Ryan K. Wong (UNREDACTED), # 13 Exhibit 4 to Declaration of Ryan K. Wong (UNREDACTED), # 14 Proposed Order Granting Motion to Strike)(Wong, Ryan) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	420	See Document number 440 for correction. MOTION to Strike <i>Expert Testimony of Dr. Kevin C. Almeroth (PUBLIC REDACTED VERSION)</i> filed by Arista Networks, Inc.. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order Granting Motion to Strike)(Wong, Ryan) (Filed on 8/5/2016) Modified on 9/8/2016 (srnS, COURT STAFF). (Entered: 08/05/2016)
08/05/2016	421	Declaration of RYAN K. WONG in Support of 420 MOTION to Strike <i>Expert Testimony of Dr. Kevin C. Almeroth (PUBLIC REDACTED VERSION)</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1 to Declaration of Ryan K. Wong (PUBLIC REDACTED VERSION), # 2 Exhibit 2 to




		Declaration of Ryan K. Wong (PUBLIC REDACTED VERSION), # 3 Exhibit 3 to Declaration of Ryan K. Wong (PUBLIC REDACTED VERSION), # 4 Exhibit 4 to Declaration of Ryan K. Wong (PUBLIC REDACTED VERSION))(Related document(s) 420) (Wong, Ryan) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	 422	Administrative Motion to File Under Seal <i>Defendant Arista's Motion to Strike Testimony of Dr. Judith A. Chevalier</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of David J. Rosen in Support of Motion to File Under Seal, # 2 Proposed Order Granting Motion to File Under Seal, # 3 Redacted Version of Motion to Strike Testimony of Dr. Judith A. Chevalier (REDACTED), # 4 Declaration of Elizabeth K. McCloskey in Support of Motion to Strike Testimony of Dr. Judith A. Chevalier, # 5 Exhibit A to Declaration of Elizabeth K. McCloskey (REDACTED), # 6 Exhibit B to Declaration of Elizabeth K. McCloskey (REDACTED), # 7 Exhibit C to Declaration of Elizabeth K. McCloskey (REDACTED), # 8 Exhibit D to Declaration of Elizabeth K. McCloskey (REDACTED), # 9 Exhibit E to Declaration of Elizabeth K. McCloskey (REDACTED), # 10 Exhibit F to Declaration of Elizabeth K. McCloskey (REDACTED), # 11 Exhibit A to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 12 Exhibit B to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 13 Exhibit C to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 14 Exhibit D to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 15 Exhibit E to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 16 Exhibit F to Declaration of Elizabeth K. McCloskey (UNREDACTED), # 17 Unredacted Version of Motion to Strike Testimony of Dr. Judith A. Chevalier (UNREDACTED), # 18 Proposed Order Granting Motion to Strike Testimony of Dr. Judith C. Chevalier)(Rosen, David) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	423	MOTION to Strike <i>Testimony of Dr. Judith C. Chevalier (REDACTED VERSION)</i> filed by Arista Networks, Inc.. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order Granting Motion to Strike Testimony of Dr. Judith C. Chevalier)(Rosen, David) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	424	Declaration of ELIZABETH K. MCCLOSKEY in Support of 423 MOTION to Strike <i>Testimony of Dr. Judith C. Chevalier (REDACTED VERSION)</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A to Declaration of Elizabeth K. McCloskey (REDACTED), # 2 Exhibit B to Declaration of Elizabeth K. McCloskey (REDACTED), # 3 Exhibit C to Declaration of Elizabeth K. McCloskey (REDACTED), # 4 Exhibit D to Declaration of Elizabeth K. McCloskey (REDACTED), # 5 Exhibit E to Declaration of Elizabeth K. McCloskey (REDACTED), # 6 Exhibit F to Declaration of Elizabeth K. McCloskey (REDACTED))(Related document(s) 423) (Rosen, David) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	425	Proof of Service re [Unredacted Version of Notice of Motion and Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth; Unredacted version of Exhibits 1, 2, 3 and 4 to Declaration of Ryan K. Wong in Support; Unredacted version of Arista's Notice of Motion and Motion to Strike Expert Opinions and Testimony of Dr. Judith A. Chevalier; and, Unredacted version of Exhibits A through F to Declaration of Elizabeth K. McCloskey in Support by Arista Networks, Inc. (Wong, Ryan) (Filed on 8/5/2016) Modified on 8/8/2016 (bwS, COURT STAFF). (Entered: 08/05/2016)
08/05/2016	 426	Administrative Motion to File Under Seal <i>Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit REDACTED (Public) Version of Motion to Exclude Black Testimony, # 4 Exhibit UNREDACTED (Non-Public) Version of Motion to Exclude Black Testimony, # 5 Exhibit REDACTED (Public) Version of Motion to Exclude Elsten Testimony, # 6 Exhibit UNREDACTED (Non-Public) Version of Motion to Exclude Elsten Testimony, # 7 Exhibit REDACTED (Public) Version of Motion to Exclude Seifert Testimony, # 8 Exhibit UNREDACTED (Non-Public) Version of Motion to Exclude Seifert Testimony, # 9 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 1, # 10 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 2, # 11 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 4, # 12 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 5, # 13 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 6, # 14 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 7, # 15 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 8, # 16 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 9, # 17 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 10, # 18 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 11, # 19 Exhibit UNREDACTED (Non-Public) Version of




		Holmes Exhibit 12, # 20 Exhibit UNREDACTED (Non-Public) Version of Holmes Exhibit 13)(Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	427	MOTION to Strike / <i>Exclude Testimony of John Black</i> filed by Cisco Systems Inc. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	428	MOTION to Strike / <i>Exclude Testimony of Douglas Clark</i> filed by Cisco Systems Inc. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	429	MOTION to Strike / <i>Exclude Testimony of Cate Elsten</i> filed by Cisco Systems Inc. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	430	MOTION to Strike / <i>Exclude Testimony of William Seifert</i> filed by Cisco Systems Inc. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/19/2016. Replies due by 8/26/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	431	Declaration of Andrew Holmes in Support of 429 MOTION to Strike / <i>Exclude Testimony of Cate Elsten</i> , 428 MOTION to Strike / <i>Exclude Testimony of Douglas Clark</i> , 427 MOTION to Strike / <i>Exclude Testimony of John Black</i> , 430 MOTION to Strike / <i>Exclude Testimony of William Seifert</i> filed by Cisco Systems Inc. (Attachments: # 1 Exhibit No. 1, # 2 Exhibit No. 2, # 3 Exhibit No. 3, # 4 Exhibit No. 4, # 5 Exhibit No. 5, # 6 Exhibit No. 6, # 7 Exhibit No. 7, # 8 Exhibit No. 8, # 9 Exhibit No. 9, # 10 Exhibit No. 10, # 11 Exhibit No. 11, # 12 Exhibit No. 12, # 13 Exhibit No. 13, # 14 Exhibit No. 14)(Related document(s) 429 , 428 , 427 , 430) (Neukom, John) (Filed on 8/5/2016) (Entered: 08/05/2016)
08/05/2016	432	CERTIFICATE OF SERVICE re 426 Administrative Motion to File Under Seal Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert by Cisco Systems Inc (Jenkins, Sara) (Filed on 8/5/2016) Modified on 8/8/2016 (bwS, COURT STAFF). (Entered: 08/05/2016)
08/06/2016	433	CERTIFICATE OF SERVICE re 426 Administrative Motion to File Under Seal <i>Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert by Cisco Systems Inc (Jenkins, Sara) (Filed on 8/6/2016) Modified on 8/8/2016 (bwS, COURT STAFF). (Entered: 08/06/2016)</i>
08/06/2016	434	CERTIFICATE OF SERVICE re 426 Administrative Motion to File Under Seal Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert by Cisco Systems Inc (Jenkins, Sara) (Filed on 8/6/2016) Modified on 8/8/2016 (bwS, COURT STAFF). (Entered: 08/06/2016)
08/06/2016	435	CERTIFICATE OF SERVICE re 426 Administrative Motion to File Under Seal Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert by Cisco Systems Inc (Jenkins, Sara) (Filed on 8/6/2016) Modified on 8/8/2016 (bwS, COURT STAFF). (Entered: 08/06/2016)
08/06/2016	436	Declaration of Joshua Glucoft in Support of 426 Administrative Motion to File Under Seal <i>Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert</i> filed by Juniper Networks, Inc.. (Related document(s) 426) (Glucoft, Joshua) (Filed on 8/6/2016) (Entered: 08/06/2016)
08/08/2016	 437	Transcript of Proceedings held on 08-04-2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 416 Transcript Order) Release of Transcript Restriction set for 11/7/2016. (Related documents(s) 416) (Fisher, Summer) (Filed on 8/8/2016)

		(Entered: 08/08/2016)
08/08/2016	 438	Administrative Motion to File Under Seal <i>Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong in Support of Defendant Arista's Administrative Motion to File Documents Under Seal in Connection with Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth, # 2 Proposed Order Granting Sealing Motion to File Documents in Connection with Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth, # 3 Public Redacted Version of Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth, # 4 Unredacted Version of Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth)(Wong, Ryan) (Filed on 8/8/2016) (Entered: 08/08/2016)
08/08/2016	439	CERTIFICATE OF SERVICE by Arista Networks, Inc. of <i>Unredacted Version of Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth</i> (Wong, Ryan) (Filed on 8/8/2016) (Entered: 08/08/2016)
08/08/2016	440	MOTION to Strike <i>Expert Opinions and Testimony of Dr. Kevin C. Almeroth [CORRECTED]</i> (<i>PUBLIC REDACTED VERSION</i>) filed by Arista Networks, Inc.. Motion Hearing set for 9/9/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 8/22/2016. Replies due by 8/29/2016. (Wong, Ryan) (Filed on 8/8/2016) (Entered: 08/08/2016)
08/08/2016	441	ORDER GRANTING CISCO SYSTEMS, INC.'S ADMINISTRATIVE MOTION TO FILE UNDER SEAL Confidential Information with Respect to Docket Numbers 286 304 . Signed by Judge Nathanael Cousins on 8/8/2016. (lmh, COURT STAFF) (Filed on 8/8/2016) (Entered: 08/08/2016)
08/08/2016		(Court only) TRANSCRIPT COPY DELIVERED re 418 Transcript Order (Related documents(s) 418) (Fisher, Summer) (Filed on 8/8/2016) (Entered: 08/08/2016)
08/08/2016	443	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 8/8/2016. The Court takes the matters under submission.Total Time in Court: 48 minutes. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Sean Pak, Jordon Jaffee. Defendant Attorney: David Silbert. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 8/8/2016) (Entered: 08/09/2016)
08/08/2016		(Court only) ***Motions terminated 286 304 pursuant to Order 441 . (lmh, COURT STAFF) (Filed on 8/8/2016) (Entered: 10/17/2016)
08/09/2016	442	Declaration of Roderick M. Thompson in Support of 426 Administrative Motion to File Under Seal <i>Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert</i> filed byDell Inc.. (Attachments: # 1 Exhibit A)(Related document(s) 426) (Thompson, Roderick) (Filed on 8/9/2016) (Entered: 08/09/2016)
08/09/2016	444	TRANSCRIPT ORDER for proceedings held on August 8, 2016 before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 8/9/2016) (Entered: 08/09/2016)
08/09/2016	445	TRANSCRIPT ORDER for proceedings held on 08/08/16 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 8/9/2016) (Entered: 08/09/2016)
08/09/2016	446	Declaration of Ryan K. Wong in Support of 426 Administrative Motion to File Under Seal <i>Materials in Support of Cisco Motions to Exclude Expert Testimony for Arista Witnesses Black, Clark, Elsten and Seifert</i> filed byArista Networks, Inc.. (Related document(s) 426) (Wong, Ryan) (Filed on 8/9/2016) (Entered: 08/09/2016)
08/09/2016	447	Declaration of Sara E. Jenkins in Support of 419 Administrative Motion to File Under Seal <i>Defendant Arista's Motion to Strike Expert Testimony of Dr. Kevin C. Almeroth</i> filed byCisco Systems Inc. (Related document(s) 419) (Jenkins, Sara) (Filed on 8/9/2016) Modified on 8/10/2016 (srnS, COURT STAFF). (Entered: 08/09/2016)
08/09/2016	448	Declaration of Sara E. Jenkins in Support of 422 Administrative Motion to File Under Seal <i>Defendant Arista's Motion to Strike Testimony of Dr. Judith A. Chevalier</i> filed byCisco Systems Inc. (Related document(s) 422) (Jenkins, Sara) (Filed on 8/9/2016) Modified on 8/10/2016 (srnS, COURT STAFF). (Entered: 08/09/2016)


08/09/2016	449	MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Letter Brief,,, Order on Motion to Strike,,, filed by Arista Networks, Inc.. Responses due by 8/23/2016. Replies due by 8/30/2016. (Ferrall, Brian) (Filed on 8/9/2016) (Entered: 08/09/2016)
08/10/2016	450	ORDER REQUIRING RESPONSE TO 449 ARISTA'S MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER BY AUGUST 17, 2016. Signed by Judge Beth Labson Freeman on 8/10/2016. (blflc3S, COURT STAFF) (Filed on 8/10/2016) (Entered: 08/10/2016)
08/10/2016	 451	Transcript of Proceedings held on 08/08/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 444 Transcript Order) Release of Transcript Restriction set for 11/8/2016. (Related documents(s) 444) (Fisher, Summer) (Filed on 8/10/2016) (Entered: 08/10/2016)
08/10/2016		(Court only) TRANSCRIPT COPY DELIVERED re 445 Transcript Order (Related documents(s) 445) (Fisher, Summer) (Filed on 8/10/2016) (Entered: 08/10/2016)
08/10/2016	452	Proposed Order re 348 MOTION for Partial Summary Judgment <i>AMENDED [PROPOSED] ORDER GRANTING CISCO SYSTEMS, INC.'S MOTION FOR PARTIAL SUMMARY JUDGMENT</i> by Cisco Systems Inc. (Attachments: # 1 Exhibits A1-A6 (Part 1 of 13), # 2 Exhibits A1-A6 (Part 2 of 13), # 3 Exhibits A1-A6 (Part 3 of 13), # 4 Exhibits A1-A6 (Part 4 of 13), # 5 Exhibits A1-A6 (Part 5 of 13), # 6 Exhibits A1-A6 (Part 6 of 13), # 7 Exhibits A1-A6 (Part 7 of 13), # 8 Exhibits A1-A6 (Part 8 of 13), # 9 Exhibits A1-A6 (Part 9 of 13), # 10 Exhibits A1-A6 (Part 10 of 13), # 11 Exhibits A1-A6 (Part 11 of 13), # 12 Exhibits A1-A6 (Part 12 of 13), # 13 Exhibits A1-A6 (Part 13 of 13))(Holmes, Andrew) (Filed on 8/10/2016) (Entered: 08/10/2016)
08/11/2016	453	Statement re 452 Proposed Order,, <i>Arista's Proposal for Response to Cisco's Amended [Proposed] Order Granting Cisco's Motion for Partial Summary Judgment [ECF No. 452]</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 8/11/2016) (Entered: 08/11/2016)
08/12/2016	454	ORDER REGARDING 452 CISCO'S SUPPLEMENTAL SUBMISSION ON MOTION FOR PARTIAL SUMMARY JUDGMENT. Signed by Judge Beth Labson Freeman on 8/11/2016. (blflc3S, COURT STAFF) (Filed on 8/12/2016) (Entered: 08/12/2016)
08/15/2016	455	Brief <i>Re Analytic Dissection of Asserted Works</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A)(Ferrall, Brian) (Filed on 8/15/2016) (Entered: 08/15/2016)
08/15/2016	456	TRIAL BRIEF <i>RE: COPYRIGHTABILITY / FILTRATION / ANALYTIC DISSECTION</i> by Cisco Systems Inc. (Neukom, John) (Filed on 8/15/2016) (Entered: 08/15/2016)
08/17/2016	457	RESPONSE (re 449 MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Letter Brief,,, Order on Motion to Strike,,) filed by Cisco Systems Inc. (Neukom, John) (Filed on 8/17/2016) (Entered: 08/17/2016)
08/18/2016	458	NOTICE by Arista Networks, Inc. re 449 MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Letter Brief,,, Order on Motion to Strike,, (Ferrall, Brian) (Filed on 8/18/2016) (Entered: 08/18/2016)
08/19/2016	459	ADMINISTRATIVE MOTION Leave to File Reply in Support of Arista's Motion for Relief (ECF 449) re 449 MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Letter Brief,,, Order on Motion to Strike,,, filed by Arista Networks, Inc.. Responses due by 8/23/2016. (Attachments: # 1 Proposed Order Granting Arista Networks, Inc.'s Administrative Motion for Leave to File a Reply in Support of Arista's Motion for Relief)(Wong, Ryan) (Filed on 8/19/2016) Modified on 8/24/2016 (tsh, COURT STAFF). (Entered: 08/19/2016)



08/19/2016	460	Declaration of Ryan K. Wong in Support of 459 ADMINISTRATIVE MOTION Leave to File Reply in Support of Arista's Motion for Relief (ECF 449) re 449 MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Le filed byArista Networks, Inc.. (Related document(s) 459) (Wong, Ryan) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	461	OPPOSITION TO ARISTAS MOTION FOR LEAVE TO FILE A REPLY IN SUPPORT OF ITS MOTION FOR RELIEF FROM THE MAGISTRATE JUDGES NON- DISPOSITIVE PRETRIAL ORDER (re 459 ADMINISTRATIVE MOTION Leave to File Reply in Support of Arista's Motion for Relief (ECF 449) re 449 MOTION FOR RELIEF FROM NONDISPOSITIVE PRETRIAL ORDER OF MAGISTRATE JUDGE (ECF NO. 408) re 408 Motion Hearing,,, Order on Discovery Le) filed by Cisco Systems Inc. (Neukom, John) (Filed on 8/19/2016) Modified on 8/22/2016 (bwS, COURT STAFF). (Entered: 08/19/2016)
08/19/2016	 462	Administrative Motion to File Under Seal <i>in Connection with Its Opposition to Ciscos Motion to Exclude Expert Opinion Testimony of Dr. John Black</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong, # 2 Proposed Order, # 3 Redacted Version of Opposition to Motion to Exclude Black, # 4 Unredacted Version of Opposition to Motion to Exclude Black, # 5 Sealed Exhibit 4 to Declaration of Wong, # 6 Sealed Exhibit 5 to Declaration of Wong)(Wong, Ryan) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	463	RESPONSE (re 427 MOTION to Strike <i>/Exclude Testimony of John Black</i>) filed byArista Networks, Inc.. (Van Nest, Robert) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	464	Declaration of Ryan Wong in Support of 463 Opposition/Response to Motion filed byArista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Related document(s) 463) (Wong, Ryan) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	465	RESPONSE (re 428 MOTION to Strike <i>/Exclude Testimony of Douglas Clark</i>) filed byArista Networks, Inc.. (Van Nest, Robert) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	466	Declaration of David J. Rosen in Support of 465 Opposition/Response to Motion filed byArista Networks, Inc.. (Attachments: # 1 Exhibit 1)(Related document(s) 465) (Rosen, David) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	 467	Administrative Motion to File Under Seal <i>in Connection with Aristas Opposition to Ciscos Motion to Exclude Expert Testimony from Aristas Expert Cate M. Elsten</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Redacted Version of Opposition to Motion to Exclude Elsten, # 4 Unredacted Version of Opposition to Motion to Exclude Elsten, # 5 Sealed Ex. A to Declaration of Santacana)(Ferrall, Brian) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	468	RESPONSE (re 429 MOTION to Strike <i>/Exclude Testimony of Cate Elsten</i>) filed byArista Networks, Inc.. (Ferrall, Brian) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	469	Declaration of Eduardo E. Santacana in Support of 468 Opposition/Response to Motion filed byArista Networks, Inc.. (Attachments: # 1 Exhibit A)(Related document(s) 468) (Santacana, Eduardo) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	 470	Administrative Motion to File Under Seal <i>in Connection with Aristas Opposition to Cisco Systems, Inc.s Motion to Exclude Opinion Testimony of William M. Seifert</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Andrea Nill Sanchez, # 2 Proposed Order, # 3 Redacted Version of Opposition to Motion to Exclude Seifert, # 4 Unredacted Version of Opposition to Motion to Exclude Seifert, # 5 Sealed Ex. 1 to Declaration of Nill Sanchez, # 6 Sealed Ex. 4 to Declaration of Nill Sanchez, # 7 Sealed Ex. 5 to Declaration of Nill Sanchez)(Nill Sanchez, Andrea) (Filed on 8/19/2016) Modified on 8/24/2016 (tsh, COURT STAFF). (Entered: 08/19/2016)
08/19/2016	471	OPPOSITION TO CISCO SYSTEMS, INC.S MOTION TO EXCLUDE OPINION TESTIMONY OF WILLIAM M. SEIFERT (re 430 filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 8/19/2016) Modified on 8/22/2016 (bwS, COURT STAFF). (Entered: 08/19/2016)
08/19/2016	472	Declaration of Andrea Nill Sanchez in Support of 471 Opposition/Response to Motion filed byArista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5)(Related document(s) 471) (Nill Sanchez, Andrea) (Filed on 8/19/2016) (Entered: 08/19/2016)

08/19/2016	473	ORDER DENYING 459 ARISTA'S MOTION FOR LEAVE TO FILE A REPLY BRIEF. Signed by Judge Beth Labson Freeman on 8/19/2016. (blflc3S, COURT STAFF) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	474	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 462 Administrative Motion to File Under Seal in Connection with Its Opposition to Ciscos Motion to Exclude Expert Opinion Testimony of Dr. John Black, 467 Administrative Motion to File Under Seal in Connection with Aristas Opposition to Ciscos Motion to Exclude Expert Testimony from Aristas Expert Cate M. Elsten and Dkt 470 (Nill Sanchez, Andrea) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	 475	Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit REDACTED Version of Cisco's Opposition to Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth, # 4 Exhibit UNREDACTED Version of Cisco's Opposition to Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth, # 5 Exhibit UNREDACTED Version of Neukom Exhibit 1, # 6 Exhibit UNREDACTED Version of Neukom Exhibit 2, # 7 Exhibit UNREDACTED Version of Neukom Exhibit 3)(Neukom, John) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	 476	Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Motion to Strike Expert Opinions and Testimony of Dr. Judy Chevalier</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit REDACTED Version of Cisco's Opposition to Arista's Motion to Strike Expert Opinions and Testimony of Dr. Judith Chevalier, # 4 Exhibit UNREDACTED Version of Cisco's Opposition to Arista's Motion to Strike Expert Opinions and Testimony of Dr. Judith Chevalier, # 5 Exhibit UNREDACTED Version of Jenkins Exhibit 1)(Neukom, John) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/19/2016	477	OPPOSITION TO ARISTAS CORRECTED NOTICE OF MOTION AND MOTION TO STRIKE EXPERT OPINIONS AND TESTIMONY OF DR. KEVIN C. ALMEROOTH (re 440 MOTION to Strike filed by Cisco Systems Inc. (Attachments: # 1 Declaration of John Neukom I/S/O Cisco Opposition Brief, # 2 Exhibit #1, # 3 Exhibit #2, # 4 Exhibit # 3)(Neukom, John) (Filed on 8/19/2016) Modified on 8/22/2016 (bwS, COURT STAFF). (Entered: 08/19/2016)
08/19/2016	478	OPPOSITION TO ARISTA NETWORKS, INC.S MOTION TO STRIKE EXPERT OPINIONS AND TESTIMONY OF DR. JUDITH A. CHEVALIER (re 423 MOTION to Strike filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara Jenkins I/S/O Cisco Opposition Brief, # 2 Exhibit #1)(Neukom, John) (Filed on 8/19/2016) Modified on 8/22/2016 (bwS, COURT STAFF). (Entered: 08/19/2016)
08/19/2016	479	CERTIFICATE OF SERVICE by Cisco Systems Inc re 475 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth</i> , 476 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Motion to Strike Expert Opinions and Testimony of Dr. Judy Chevalier</i> (Jenkins, Sara) (Filed on 8/19/2016) (Entered: 08/19/2016)
08/23/2016	480	Declaration of Ryan K. Wong in Support of 475 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Corrected Motion to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth</i> filed by Arista Networks, Inc.. (Related document(s) 475) (Wong, Ryan) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	481	ORDER DENYING 449 ARISTA'S MOTION FOR RELIEF FROM NONDISPOSITIVE ORDER OF MAGISTRATE JUDGE. Signed by Judge Beth Labson Freeman on 8/23/2016. (blflc3S, COURT STAFF) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	482	ORDER (1) DENYING 348 CISCO'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND (2) DENYING 329 ARISTA'S MOTION FOR PARTIAL SUMMARY JUDGMENT. Signed by Judge Beth Labson Freeman on 8/23/2016. (blflc3S, COURT STAFF) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	 483	ORDER (1) DENYING 348 CISCO'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND (2) DENYING 329 ARISTA'S MOTION FOR PARTIAL SUMMARY JUDGMENT. Signed by Judge Beth Labson Freeman on 8/23/2016. DOCUMENT E-FILED UNDER SEAL by Court Staff. (blflc3S,

		COURT STAFF) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	484	Declaration of Elizabeth K. McCloskey in Support of 476 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Opposition to Arista's Motion to Strike Expert Opinions and Testimony of Dr. Judy Chevalier</i> filed by Arista Networks, Inc.. (Related document(s) 476) (McCloskey, Elizabeth) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	485	Declaration in Support of 467 Administrative Motion to File Under Seal <i>in Connection with Aristas Opposition to Ciscos Motion to Exclude Expert Testimony from Aristas Expert Cate M. Elsten</i> filed by Cisco Systems Inc. (Related document(s) 467) (Jenkins, Sara) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/23/2016	486	Declaration in Support of 462 Administrative Motion to File Under Seal <i>in Connection with Its Opposition to Ciscos Motion to Exclude Expert Opinion Testimony of Dr. John Black</i> filed by Cisco Systems Inc. (Related document(s) 462) (Jenkins, Sara) (Filed on 8/23/2016) (Entered: 08/23/2016)
08/24/2016	487	OMNIBUS ORDER REGARDING 371 , 378 , 393 , 396 , 331 SEALING MOTIONS TO MOTIONS FOR SUMMARY JUDGMENT. Signed by Judge Beth Labson Freeman on 8/24/2016. (blflc4S, COURT STAFF) (Filed on 8/24/2016) (Entered: 08/24/2016)
08/24/2016	488	ORDER REGARDING DAUBERT MOTION HEARING AND PRE-TRIAL CASE MANAGEMENT. Signed by Judge Beth Labson Freeman on 8/24/2016. (blflc4S, COURT STAFF) (Filed on 8/24/2016) (Entered: 08/24/2016)
08/25/2016	489	Letter to Judge Freeman from Roderick M. Thompson to Court Regarding Omnibus Order Regarding Sealing Motions to Motions for Summary Judgment (ECF No. 487) (Thompson, Roderick) (Filed on 8/25/2016) Modified on 8/26/2016 (bwS, COURT STAFF). (Entered: 08/25/2016)
08/26/2016	490	MODIFIED ORDER REGARDING 379 DEFENDANTS SEALING MOTION. Signed by Judge Beth Labson Freeman on 8/26/2016. (blflc4S, COURT STAFF) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	 491	Administrative Motion to File Under Seal <i>Arista Networks, Inc.'s Reply in Support of its Motion to Strike Expert Opinions and Testimony of Dr. Judith A. Chevalier</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Elizabeth McCloskey, # 2 Proposed Order, # 3 Redacted Version of Reply in Support of Motion to Strike Expert Chevalier, # 4 Unredacted Version of Reply in Support of Motion to Strike Expert Chevalier)(McCloskey, Elizabeth) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	492	REPLY (re 423 MOTION to Strike <i>Testimony of Dr. Judith C. Chevalier (REDACTED VERSION)</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	493	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 491 Administrative Motion to File Under Seal <i>Arista Networks, Inc.'s Reply in Support of its Motion to Strike Expert Opinions and Testimony of Dr. Judith A. Chevalier</i> (Van Nest, Robert) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	 494	Administrative Motion to File Under Seal <i>Defendant Arista's Reply Brief in Support of its Motion to Exclude Experet Opinion and Testimony of Dr. Kevin C. Almeroth</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan K. Wong, # 2 Proposed Order, # 3 Redacted Vdrision of Defendant Arista's Reply in Support of its Motion to Exclude Expert Dr. Kevin C. Almeroth, # 4 Unredacted Vdrision of Defendant Arista's Reply in Support of its Motion to Exclude Expert Dr. Kevin C. Almeroth)(Wong, Ryan) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	495	REPLY (re 420 MOTION to Strike <i>Expert Testimony of Dr. Kevin C. Almeroth (PUBLIC REDACTED VERSION)</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	496	REPLY (re 428 MOTION to Strike <i>/Exclude Testimony of Douglas Clark</i>) filed by Cisco Systems Inc. (Neukom, John) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	497	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 494 Administrative Motion to File Under Seal <i>Defendant Arista's Reply Brief in Support of its Motion to Exclude Experet Opinion and Testimony of Dr. Kevin C. Almeroth</i> (Van Nest, Robert) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	 498	Administrative Motion to File Under Seal <i>CONFIDENTIAL INFORMATION IN CISCO'S REPLIES IN SUPPORT OF ITS MOTIONS TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT ARISTA NETWORKS, INC.'S EXPERTS</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of


		Sara E. Jenkins, # 2 Proposed Order, # 3 Redacted Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANTS EXPERT DR. JOHN BLACK, # 4 Sealed Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT'S EXPERT DR. JOHN BLACK, # 5 Redacted Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT'S EXPERT CATE M. ELSTEN, # 6 Sealed Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT'S EXPERT CATE M. ELSTEN, # 7 Redacted Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT'S EXPERT WILLIAM SEIFERT, # 8 Sealed Version of CISCO'S REPLY IN SUPPORT OF ITS MOTION TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT'S EXPERT WILLIAM SEIFERT)(Neukom, John) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	499	REPLY (re 427 MOTION to Strike / <i>Exclude Testimony of John Black</i>) filed byCisco Systems Inc. (Neukom, John) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	500	REPLY (re 429 MOTION to Strike / <i>Exclude Testimony of Cate Elsten</i>) filed byCisco Systems Inc. (Neukom, John) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	501	REPLY (re 430 MOTION to Strike / <i>Exclude Testimony of William Seifert</i>) filed byCisco Systems Inc. (Neukom, John) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/26/2016	502	CERTIFICATE OF SERVICE by Cisco Systems Inc re 498 Administrative Motion to File Under Seal <i>CONFIDENTIAL INFORMATION IN CISCO'S REPLIES IN SUPPORT OF ITS MOTIONS TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT ARISTA NETWORKS, INC.'S EXPERTS</i> (Jenkins, Sara) (Filed on 8/26/2016) (Entered: 08/26/2016)
08/30/2016	503	Declaration of Elizabeth K. McCloskey in Support of 498 Administrative Motion to File Under Seal <i>CONFIDENTIAL INFORMATION IN CISCO'S REPLIES IN SUPPORT OF ITS MOTIONS TO EXCLUDE EXPERT OPINION TESTIMONY FROM DEFENDANT ARISTA NETWORKS, INC.'S EXPERTS</i> filed byArista Networks, Inc.. (Related document(s) 498) (McCloskey, Elizabeth) (Filed on 8/30/2016) (Entered: 08/30/2016)
09/02/2016	504	First MOTION for leave to appear in Pro Hac Vice <i>David Nelson</i> (Filing fee \$ 305, receipt number 0971-10739877.) filed by Cisco Systems Inc. (Attachments: # 1 Certificate/Proof of Service Certificate of Good Standing)(Nelson, David) (Filed on 9/2/2016) (Entered: 09/02/2016)
09/02/2016	505	TRIAL BRIEF <i>Cisco's 5-Page Response to "ARISTAS BRIEF RE ANALYTIC DISSECTION OF ASSERTED WORKS"</i> (Docket No. 455) by Cisco Systems Inc. (Neukom, John) (Filed on 9/2/2016) (Entered: 09/02/2016)
09/02/2016	506	REPLY to re 456 Trial Brief <i>re Analytic Dissection</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 9/2/2016) Modified on 9/6/2016 (srnS, COURT STAFF). (Entered: 09/02/2016)
09/06/2016	507	ORDER GRANTING 504 MOTION FOR PRO HAC VICE. Signed by Judge Beth Labson Freeman on 9/6/2016.(blflc4S, COURT STAFF) (Filed on 9/6/2016) (Entered: 09/06/2016)
09/06/2016	508	NOTICE OF PUBLIC FILING OF EXHIBITS re 487 Order on Administrative Motion to File Under Seal filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit Santacana Ex. 1, # 2 Exhibit Santacana Ex. 2, # 3 Exhibit Santacana Ex. 3, # 4 Exhibit Santacana Ex. 7, # 5 Exhibit Santacana Ex. 8, # 6 Exhibit Santacana Ex. 9, # 7 Exhibit Santacana Ex. 10, # 8 Exhibit Santacana Ex. 11, # 9 Exhibit Santacana Ex. 16, # 10 Exhibit Santacana Ex. 18, # 11 Exhibit Santacana Ex. 19, # 12 Exhibit Santacana Ex. 22, # 13 Exhibit Santacana Ex. 23, # 14 Exhibit Santacana Ex. 24, # 15 Exhibit Arista's Opposition to Cisco's Motion for Partial Summary Judgment, # 16 Exhibit 2016.06.03 Expert Report of Black, # 17 Exhibit 2016.06.17Rebuttal Expert Report of Black, # 18 Exhibit 2016.06.03 Expert Report of Seifert, # 19 Exhibit 2016.06.03 Expert Report of Cate Elsten, # 20 Exhibit Wong Ex. 1, # 21 Exhibit Wong Ex. 2, # 22 Exhibit Wong Ex. 4)(Related document(s) 487) (Ferrall, Brian) (Filed on 9/6/2016) Modified on 9/7/2016 (srnS, COURT STAFF). (Entered: 09/06/2016)
09/06/2016	509	EXHIBITS re 508 Exhibits,,,,, filed byArista Networks, Inc.. (Attachments: # 1 Exhibit Wong Ex. 5, # 2 Exhibit Wong Ex. 7, # 3 Exhibit Wong Ex. 8, # 4 Exhibit Wong Ex. 9, # 5 Exhibit Wong Ex. 11, # 6 Exhibit Wong Ex. 15, # 7 Exhibit Wong Ex. 17, # 8 Exhibit Wong Ex. 18, # 9 Exhibit Wong Ex. 20, # 10 Exhibit Wong Ex. 21, # 11 Exhibit Wong Ex. 24, # 12 Exhibit Wong Ex. 28, # 13 Exhibit Wong Ex.




		29)(Related document(s) 508) (Ferrall, Brian) (Filed on 9/6/2016) (Entered: 09/06/2016)
09/06/2016	510	NOTICE by Cisco Systems Inc re 487 Order on Administrative Motion to File Under Seal,,, <i>Notice of Public Filing</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J)(Jenkins, Sara) (Filed on 9/6/2016) (Entered: 09/06/2016)
09/06/2016	511	EXHIBITS re 508 Exhibits,,, filed byArista Networks, Inc.. (Attachments: # 1 Exhibit Wong Ex. 33, # 2 Exhibit Wong Ex. 37, # 3 Exhibit Wong Ex. 41, # 4 Exhibit Wong Ex. 42, # 5 Exhibit Wong Ex. 43, # 6 Exhibit Wong Ex. 44, # 7 Exhibit Wong Ex. 46, # 8 Exhibit Wong Ex. 47, # 9 Exhibit Wong Ex. 48, # 10 Exhibit Wong Ex. 49)(Related document(s) 508) (Ferrall, Brian) (Filed on 9/6/2016) (Entered: 09/06/2016)
09/06/2016	512	EXHIBITS re 508 Exhibits,,, filed byArista Networks, Inc.. (Attachments: # 1 Exhibit Wong Ex. 50, # 2 Exhibit Wong Ex. 51, # 3 Exhibit Wong Ex. 52, # 4 Exhibit Wong Ex. 54, # 5 Exhibit Wong Ex. 58, # 6 Exhibit Wong Ex. 60, # 7 Exhibit Wong Ex. 62, # 8 Exhibit Wong Ex. 63, # 9 Exhibit Wong Ex. 64, # 10 Exhibit Arista's Reply in Support of Arista's Motion for Partial Summary Judgment)(Related document(s) 508) (Ferrall, Brian) (Filed on 9/6/2016) (Entered: 09/06/2016)
09/09/2016	515	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 9/9/2016 re 440 MOTION to Strike <i>Expert Opinions and Testimony of Dr. Kevin C. Almeroth [CORRECTED] (PUBLIC REDACTED VERSION)</i> filed by Arista Networks, Inc., 429 MOTION to Strike /Exclude Testimony of Cate Elsten filed by Cisco Systems Inc, 428 MOTION to Strike /Exclude Testimony of Douglas Clark filed by Cisco Systems Inc, 427 MOTION to Strike /Exclude Testimony of John Black filed by Cisco Systems Inc, 423 MOTION to Strike <i>Testimony of Dr. Judith C. Chevalier (REDACTED VERSION)</i> filed by Arista Networks, Inc., 430 MOTION to Strike /Exclude Testimony of William Seifert filed by Cisco Systems Inc Total Time in Court: 2:41. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Sean Pak, David Nelson, Jordan Neukom. Defendant Attorney: David Silbert, Ryan Wong, Brian Ferrall, Robert Van Nest. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 9/9/2016) (Entered: 09/12/2016)
09/12/2016	513	TRANSCRIPT ORDER before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 9/12/2016) Per Order Form Hearing Date is: 9/9/2016. Modified on 9/12/2016 (srn, COURT STAFF). (Entered: 09/12/2016)
09/12/2016	514	TRANSCRIPT ORDER for proceedings held on 09/09/2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Ferrall, Brian) (Filed on 9/12/2016) (Entered: 09/12/2016)
09/12/2016	 516	Transcript of Proceedings held on 09/09/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 513 Transcript Order) Release of Transcript Restriction set for 12/12/2016. (Related documents(s) 513) (Fisher, Summer) (Filed on 9/12/2016) (Entered: 09/12/2016)
09/15/2016	517	NOTICE of Appearance by Ryan K.M. Wong of <i>Paul Ehrlich</i> (Wong, Ryan) (Filed on 9/15/2016) (Entered: 09/15/2016)
09/15/2016	518	NOTICE of Appearance by Ryan K.M. Wong of <i>Alex Chan</i> (Wong, Ryan) (Filed on 9/15/2016) (Entered: 09/15/2016)
09/15/2016	519	NOTICE of Appearance by Ryan K.M. Wong of <i>Wanli Chen</i> (Wong, Ryan) (Filed on 9/15/2016) (Entered: 09/15/2016)
09/16/2016	520	ORDER GRANTING IN PART AND DENYING IN PART 331 , 328 MOTIONS TO SEAL. Signed by Judge Beth Labson Freeman on 9/16/2016.(blflc4S, COURT STAFF) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	521	OMNIBUS ORDER REGARDING 419 , 422 , 426 , 438 , 462 , 467 , 470 , 475 , 476 , 491 , 494 , 498 DAUBERT SEALING MOTIONS. Signed by Judge Beth Labson Freeman on 9/16/2016.


		(blf4S, COURT STAFF) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	 522	Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Motions in Limine Nos. 1-5</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Andrea Nill Sanchez, # 2 Proposed Order, # 3 Redacted Version of MIL 1, # 4 Unredacted Version of MIL 1, # 5 Redacted Version of MIL 5, # 6 Unredacted Version of MIL 5, # 7 Public Version of Exhibit A to Wong Declaration, # 8 Sealed Version of Exhibit A to Wong Declaration, # 9 Public Version of Exhibit C to Wong Declaration, # 10 Sealed Version of Exhibit C to Wong Declaration, # 11 Redacted Version of Exhibit D to Wong Declaration, # 12 Unredacted Version of Exhibit D to Wong Declaration, # 13 Public Version of Exhibit V to Wong Declaration, # 14 Sealed Version of Exhibit V to Wong Declaration, # 15 Public Version of Exhibit W to Wong Declaration, # 16 Sealed Version of Exhibit W to Wong Declaration, # 17 Public Version of Exhibit X to Wong Declaration, # 18 Sealed Version of Exhibit X to Wong Declaration, # 19 Public Version of Exhibit Y to Wong Declaration, # 20 Sealed Version of Exhibit Y to Wong Declaration, # 21 Public Version of Exhibit Z to Wong Declaration, # 22 Sealed Version of Exhibit Z to Wong Declaration)(Nill Sanchez, Andrea) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	523	Declaration of Ryan Wong <i>in Support of Defendant Arista Networks, Inc.'s Motions in Limine Nos. 1-5</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibits O-T, # 16 Exhibit U, # 17 Exhibit V, # 18 Exhibit W, # 19 Exhibit X, # 20 Exhibit Y, # 21 Exhibit Z)(Wong, Ryan) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	524	MOTION in Limine No. 1 to Exclude Reference to ITC Investigations filed by Arista Networks, Inc.. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	525	MOTION in Limine No. 2 to Exclude Reference to Non-Asserted Works or Undisclosed Contentions filed by Arista Networks, Inc.. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	526	MOTION in Limine No. 3 to Exclude Giancarlo Declaration and Related Testimony filed by Arista Networks, Inc.. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	527	MOTION in Limine No. 5 to Exclude Evidence and Argument Regarding Documents Labeled as "Confidential" to Cisco filed by Arista Networks, Inc.. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	528	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 522 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Motions in Limine Nos. 1-5</i> (Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	529	TRIAL BRIEF RE: OPINION OF DR. ALMEROTH ON PARSER SOURCE CODE AS REQUESTED BY THE COURT by Cisco Systems Inc. (Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	 530	Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration ISO Motion to Seal, # 2 Proposed Order, # 3 Exhibit Redacted Version of Cisco MIL 1, # 4 Exhibit Unredacted Version of Cisco MIL 1, # 5 Exhibit Redacted Version of Cisco MIL 2, # 6 Exhibit Unredacted Version of Cisco MIL 2, # 7 Exhibit Redacted Version of Cisco MIL 3, # 8 Exhibit Unredacted Version of Cisco MIL 3, # 9 Exhibit Redacted Version of Cisco MIL 4, # 10 Exhibit Unredacted Version of Cisco MIL 4, # 11 Exhibit Redacted Version of Cisco MIL 5, # 12 Exhibit Unredacted Version of Cisco MIL 5, # 13 Exhibit Unredacted Version of Cisco MIL Exhibit 2, # 14 Exhibit Unredacted Version of Cisco MIL Exhibit 4, # 15 Exhibit Unredacted Version of Cisco MIL Exhibit 5, # 16 Exhibit Unredacted Version of Cisco MIL Exhibit 7, # 17 Exhibit Unredacted Version of Cisco MIL Exhibit 8, # 18 Exhibit Unredacted Version of Cisco MIL Exhibit 9, # 19 Exhibit Unredacted Version of Cisco MIL Exhibit 10, # 20 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 1), # 21 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 2), # 22 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 3), # 23 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 4), # 24 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 5), # 25 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 6), # 26 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 7A), # 27 Exhibit Unredacted Version of

		Cisco MIL Exhibit 11 (Part 7B), # 28 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 8), # 29 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 9A), # 30 Exhibit Unredacted Version of Cisco MIL Exhibit 11 (Part 9B), # 31 Exhibit Unredacted Version of Cisco MIL Exhibit 14)(Neukom, John) (Filed on 9/16/2016) Please See Document Number 545 for Correction of 530-1. Modified on 9/22/2016 (srnS, COURT STAFF). (Entered: 09/16/2016)
09/16/2016	531	MOTION in Limine <i>No. 4 to Preclude Testimony from Late-Disclosed Witnesses</i> filed by Arista Networks, Inc.. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	532	MOTION in Limine <i>No. 1</i> filed by Cisco Systems Inc. Motion Hearing set for 11/3/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	533	MOTION in Limine <i>No. 2</i> filed by Cisco Systems Inc. Motion Hearing set for 11/3/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	534	MOTION in Limine <i>No. 3</i> filed by Cisco Systems Inc. Motion Hearing set for 11/3/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	535	MOTION in Limine <i>No. 4</i> filed by Cisco Systems Inc. Motion Hearing set for 11/3/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	536	MOTION in Limine <i>No. 5</i> filed by Cisco Systems Inc. Motion Hearing set for 11/3/2016 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 10/7/2016. (Attachments: # 1 Proposed Order)(Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	537	TRIAL BRIEF <i>Arista's Supplemental Brief Regarding Disgorgement of Profits</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	538	TRIAL BRIEF <i>REGARDING CISCO'S RIGHT TO A JURY DETERMINATION OF DISGORGEMENT OF INFRINGER'S PROFITS</i> by Cisco Systems Inc. (Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/16/2016	539	Declaration of Sara Jenkins in Support of 532 MOTION in Limine <i>No. 1</i> , 533 MOTION in Limine <i>No. 2</i> , 535 MOTION in Limine <i>No. 4</i> , 534 MOTION in Limine <i>No. 3</i> , 536 MOTION in Limine <i>No. 5</i> filed by Cisco Systems Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14)(Related document(s) 532 , 533 , 535 , 534 , 536) (Neukom, John) (Filed on 9/16/2016) (Entered: 09/16/2016)
09/17/2016	540	CERTIFICATE OF SERVICE by Cisco Systems Inc re 530 Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine</i> (Jenkins, Sara) (Filed on 9/17/2016) (Entered: 09/17/2016)
09/20/2016	541	RESPONSE TO CISCOS BRIEF RE: OPINION OF DR. ALMEROOTH ON PARSER SOURCE CODE re 529 Trial Brief by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 9/20/2016) Modified on 9/21/2016 (bwS, COURT STAFF). (Entered: 09/20/2016)
09/20/2016	542	Declaration of Ryan K. Wong in Support of 530 Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine</i> filed by Arista Networks, Inc.. (Related document(s) 530) (Wong, Ryan) (Filed on 9/20/2016) (Entered: 09/20/2016)
09/20/2016	543	Declaration of Joshua Glucoft in Support of 530 Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine</i> filed by Juniper Networks, Inc.. (Related document(s) 530) (Glucoft, Joshua) (Filed on 9/20/2016) (Entered: 09/20/2016)
09/20/2016	544	Declaration of Sara E. Jenkins in Support of 522 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Motions in Limine Nos. 1-5</i> filed by Cisco Systems Inc. (Related document(s) 522) (Jenkins, Sara) (Filed on 9/20/2016) Modified on 9/21/2016 (srnS, COURT STAFF). (Entered: 09/20/2016)



09/21/2016	545	Declaration of Sara E. Jenkins in Support of 530 Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine CORRECTION OF DOCKET # [530-1]</i> filed by Cisco Systems Inc. (Related document(s) 530) (Jenkins, Sara) (Filed on 9/21/2016) (Entered: 09/21/2016)
09/21/2016	546	CERTIFICATE OF SERVICE by Cisco Systems Inc re 530 Administrative Motion to File Under Seal <i>Confidential Materials I/S/O Cisco Motions in Limine</i> , 545 Declaration in Support, (Jenkins, Sara) (Filed on 9/21/2016) (Entered: 09/21/2016)
09/26/2016	547	NOTICE by Arista Networks, Inc. re 520 Order on Administrative Motion to File Under Seal <i>Notice of Public Filing of Exhibits in Support of Summary Judgment Motions [Re ECF 328]</i> (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9, # 10 Attachment 10, # 11 Attachment 11-1, # 12 Attachment 11-2, # 13 Attachment 11-3, # 14 Attachment 12, # 15 Attachment 13, # 16 Attachment 14)(Ferrall, Brian) (Filed on 9/26/2016) (Entered: 09/26/2016)
09/26/2016	548	NOTICE by Arista Networks, Inc. re 521 Order on Administrative Motion to File Under Seal,,,,,,,,,, <i>Notice of Public Filing of Exhibits</i> (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9, # 10 Attachment 10, # 11 Attachment 11, # 12 Attachment 12, # 13 Attachment 13, # 14 Attachment 14, # 15 Attachment 15)(Ferrall, Brian) (Filed on 9/26/2016) (Entered: 09/26/2016)
09/26/2016	549	NOTICE of Public Filing Pursuant to Court Orders by Cisco Systems Inc re 521 Order on Administrative Motion to File Under Seal, 520 Order on Administrative Motion to File Under Seal (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Exhibit Y, # 26 Exhibit Z, # 27 Exhibit AA, # 28 Exhibit BB, # 29 Exhibit CC, # 30 Exhibit DD)(Jenkins, Sara) (Filed on 9/26/2016) Modified on 9/27/2016 (smS, COURT STAFF). (Entered: 09/26/2016)
09/27/2016	550	NOTICE by Cisco Systems Inc <i>CISCO'S SUBMISSION OF PROTECTABLE ELEMENTS FROM ITS COPYRIGHTED WORKS</i> (Attachments: # 1 Exhibit 1 (Part 1 of 2), # 2 Exhibit 1 (Part 2 of 2))(Holmes, Andrew) (Filed on 9/27/2016) See Document Number 552 for Correction. Modified on 10/6/2016 (smS, COURT STAFF). (Entered: 09/27/2016)
09/28/2016	551	Proposed Form of Verdict by Cisco Systems Inc (<i>Cisco's Proposed Verdict Form</i>). (Neukom, John) (Filed on 9/28/2016) (Entered: 09/28/2016)
10/04/2016	552	NOTICE by Cisco Systems Inc re 550 Notice (Other) <i>CORRECTION OF DOCKET # 550 CISCO'S CORRECTED SUBMISSION OF PROTECTABLE ELEMENTS FROM ITS COPYRIGHTED WORKS</i> (Attachments: # 1 Exhibit 1 (Part 1 of 2), # 2 Exhibit 1 (Part 2 of 2))(Holmes, Andrew) (Filed on 10/4/2016) (Entered: 10/04/2016)
10/07/2016	 553	Administrative Motion to File Under Seal <i>Arista's Oppositions to Cisco's Motions in Limine Nos. 1-5</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of David J. Rosen, # 2 Proposed Order, # 3 Opp to MIL 1 Public, # 4 Opp to MIL 1 Under Seal, # 5 Opp to MIL 2 Public, # 6 Opp to MIL 2 Under Seal, # 7 Opp to MIL 3 Public, # 8 Opp to MIL 3 Under Seal, # 9 Opp to MIL 4 Public, # 10 Opp to MIL 4 Under Seal, # 11 Opp to MIL 5 Public, # 12 Opp to MIL 5 Under Seal, # 13 Exhibit 4 Public, # 14 Exhibit 4 Under Seal, # 15 Exhibit 8 Public, # 16 Exhibit 8 Under Seal, # 17 Exhibit 9 Public, # 18 Exhibit 9 Under Seal, # 19 Exhibit 10 Public, # 20 Exhibit 10 Under Seal, # 21 Exhibit 11 Public, # 22 Exhibit 11 Under Seal, # 23 Exhibit 12 Public, # 24 Exhibit 12 Under Seal, # 25 Exhibit 19 Public, # 26 Exhibit 19 Under Seal, # 27 Exhibit 22 Public, # 28 Exhibit 22 Under Seal, # 29 Exhibit 23 Public, # 30 Exhibit 23 Under Seal, # 31 Exhibit 27 Public, # 32 Exhibit 27 Under Seal, # 33 Exhibit 31 Public, # 34 Exhibit 31 Under Seal, # 35 Exhibit 34 Public, # 36 Exhibit 34 Under Seal, # 37 Exhibit 35 Public, # 38 Exhibit 35 Under Seal, # 39 Exhibit 36 Public, # 40 Exhibit 36 Under Seal)(Rosen, David) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	554	RESPONSE (re 532 MOTION in <i>Limine No. 1</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	555	RESPONSE (re 533 MOTION in <i>Limine No. 2</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/7/2016) (Entered: 10/07/2016)





10/07/2016	556	RESPONSE (re 534 MOTION in Limine No. 3) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	557	RESPONSE (re 535 MOTION in Limine No. 4) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	558	RESPONSE (re 536 MOTION in Limine No. 5 filed by Cisco Systems Inc. filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/7/2016) Modified text to correct linkage on 10/11/2016 (srnS, COURT STAFF). (Entered: 10/07/2016)
10/07/2016	559	Declaration of Ryan Wong in Support of 556 Opposition/Response to Motion, 555 Opposition/Response to Motion, 558 Opposition/Response to Motion, 554 Opposition/Response to Motion, 557 Opposition/Response to Motion filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36)(Related document(s) 556 , 555 , 558 , 554 , 557) (Wong, Ryan) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	560	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 553 Administrative Motion to File Under Seal <i>Arista's Oppositions to Cisco's Motions in Limine Nos. 1-5</i> (Van Nest, Robert) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	 561	Administrative Motion to File Under Seal <i>Materials Submitted for Cisco's Oppositions to Arista's Motions In Limine Nos. 1-5</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration ISO Motion to Seal, # 2 Proposed Order, # 3 Exhibit Redacted Version of Cisco Opp. to Arista MIL 1, # 4 Exhibit Unredacted Version of Cisco Opp. to Arista MIL 1, # 5 Exhibit Redacted Version of Cisco Opp. to Arista MIL 3, # 6 Exhibit Unredacted Version of Cisco Opp. to Arista MIL 3, # 7 Exhibit Redacted Version of Cisco Opp. to Arista MIL 5, # 8 Exhibit Unredacted Version of Cisco Opp. to Arista MIL 5, # 9 Exhibit Unredacted Version of Neukom Ex. 1, # 10 Exhibit Unredacted Version of Neukom Ex. 5, # 11 Exhibit Unredacted Version of Neukom Ex. 17, # 12 Exhibit Unredacted Version of Neukom Ex. 18, # 13 Exhibit Unredacted Version of Neukom Ex. 19, # 14 Exhibit Unredacted Version of Neukom Ex. 20, # 15 Exhibit Unredacted Version of Neukom Ex. 21, # 16 Exhibit Unredacted Version of Neukom Ex. 22, # 17 Exhibit Unredacted Version of Neukom Ex. 23, # 18 Exhibit Unredacted Version of Neukom Ex. 24, # 19 Exhibit Unredacted Version of Neukom Ex. 28, # 20 Exhibit Unredacted Version of Neukom Ex. 30, # 21 Exhibit Unredacted Version of Neukom Ex. 31)(Neukom, John) (Filed on 10/7/2016) PLEASE SEE DOCUMENT NUMBER 569 FOR CORRECTION TO 561-1. Modified on 10/11/2016 (srnS, COURT STAFF). (Entered: 10/07/2016)
10/07/2016	562	RESPONSE (re 524 MOTION in Limine No. 1 to Exclude Reference to ITC Investigations) filed by Cisco Systems Inc. (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	563	RESPONSE (re 525 MOTION in Limine No. 2 to Exclude Reference to Non-Asserted Works or Undisclosed Contentions) filed by Cisco Systems Inc. (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	564	RESPONSE (re 526 MOTION in Limine No. 3 to Exclude Giancarlo Declaration and Related Testimony) filed by Cisco Systems Inc. (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	565	RESPONSE (re 531 MOTION in Limine No. 4 to Preclude Testimony from Late-Disclosed Witnesses) filed by Cisco Systems Inc. (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	566	RESPONSE (re 527 MOTION in Limine No. 5 to Exclude Evidence and Argument Regarding Documents Labeled as "Confidential" to Cisco) filed by Cisco Systems Inc. (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/07/2016	567	Declaration of John M. Neukom in Support of 565 Opposition/Response to Motion, 562 Opposition/Response to Motion, 564 Opposition/Response to Motion, 566 Opposition/Response to Motion, 563 Opposition/Response to Motion (<i>In Support of Cisco Oppositions to Arista Motions in Limine Nos. 1-5</i>) filed by Cisco Systems Inc. (Attachments: # 1 Exhibit Exhibit No. 1, # 2 Exhibit Exhibit No. 2, # 3 Exhibit Exhibit No. 3, # 4 Exhibit Exhibit No. 4, # 5 Exhibit Exhibit No. 5, # 6 Exhibit Exhibit No. 6, # 7 Exhibit Exhibit No. 7, # 8 Exhibit Exhibit No. 8, # 9 Exhibit Exhibit No. 9, #





		10 Exhibit Exhibit No. 10, # 11 Exhibit Exhibit No. 11, # 12 Exhibit Exhibit No. 12, # 13 Exhibit Exhibit No. 13, # 14 Exhibit Exhibit No. 14, # 15 Exhibit Exhibit No. 15, # 16 Exhibit Exhibit No. 16, # 17 Exhibit Exhibit No. 17, # 18 Exhibit Exhibit No. 18, # 19 Exhibit Exhibit No. 19, # 20 Exhibit Exhibit No. 20, # 21 Exhibit Exhibit No. 21, # 22 Exhibit Exhibit No. 22, # 23 Exhibit Exhibit No. 23, # 24 Exhibit Exhibit No. 24, # 25 Exhibit Exhibit No. 25, # 26 Exhibit Exhibit No. 26, # 27 Exhibit Exhibit No. 27, # 28 Exhibit Exhibit No. 28, # 29 Exhibit Exhibit No. 29, # 30 Exhibit Exhibit No. 30, # 31 Exhibit Exhibit No. 31)(Related document(s) 565 , 562 , 564 , 566 , 563) (Neukom, John) (Filed on 10/7/2016) (Entered: 10/07/2016)
10/08/2016	568	CERTIFICATE OF SERVICE by Cisco Systems Inc re 561 Administrative Motion to File Under Seal <i>Materials Submitted for Cisco's Oppositions to Arista's Motions In Limine Nos. 1-5</i> (Jenkins, Sara) (Filed on 10/8/2016) (Entered: 10/08/2016)
10/08/2016	569	Declaration of Sara E. Jenkins in Support of 561 Administrative Motion to File Under Seal <i>Materials Submitted for Cisco's Oppositions to Arista's Motions In Limine Nos. 1-5 CORRECTION OF DOCKET # 561</i> filed by Cisco Systems Inc. (Related document(s) 561) (Jenkins, Sara) (Filed on 10/8/2016) (Entered: 10/08/2016)
10/10/2016	570	Declaration of Joshua Glucoft in Support of 553 Administrative Motion to File Under Seal <i>Arista's Oppositions to Cisco's Motions in Limine Nos. 1-5</i> filed by Juniper Networks, Inc.. (Related document(s) 553) (Glucoft, Joshua) (Filed on 10/10/2016) (Entered: 10/10/2016)
10/10/2016	571	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Wong, Ryan) (Filed on 10/10/2016) (Entered: 10/10/2016)
10/10/2016	572	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Wong, Ryan) (Filed on 10/10/2016) (Entered: 10/10/2016)
10/10/2016	573	CERTIFICATE OF SERVICE by Arista Networks, Inc. (Wong, Ryan) (Filed on 10/10/2016) (Entered: 10/10/2016)
10/11/2016	574	Declaration of Andrea Nill Sanchez in Support of 561 Administrative Motion to File Under Seal <i>Materials Submitted for Cisco's Oppositions to Arista's Motions In Limine Nos. 1-5</i> filed by Arista Networks, Inc.. (Related document(s) 561) (Nill Sanchez, Andrea) (Filed on 10/11/2016) (Entered: 10/11/2016)
10/11/2016	575	Declaration of Sara E. Jenkins in Support of 553 Administrative Motion to File Under Seal <i>Arista's Oppositions to Cisco's Motions in Limine Nos. 1-5</i> filed by Cisco Systems Inc. (Related document(s) 553) (Jenkins, Sara) (Filed on 10/11/2016) (Entered: 10/11/2016)
10/11/2016	  576	*SEALED* ORDER ON DAUBERT MOTIONS filed UNDERSEAL. Signed by Judge Beth Labson Freeman on 10/11/2016. (tshS, COURT STAFF) (Filed on 10/11/2016) ***PLEASE SEE DOCKET ENTRY #(661) REDACTED PUBLIC ORDER ON DAUBERT MOTIONS.*** (Entered: 10/12/2016)
10/11/2016		(Court only) ***Motions terminated: 428 MOTION to Strike /Exclude Testimony of Douglas Clark filed by Cisco Systems Inc, 427 MOTION to Strike /Exclude Testimony of John Black filed by Cisco Systems Inc, 423 MOTION to Strike Testimony of Dr. Judith C. Chevalier (REDACTED VERSION) filed by Arista Networks, Inc., 440 MOTION to Strike Expert Opinions and Testimony of Dr. Kevin C. Almeroth [CORRECTED] (PUBLIC REDACTED VERSION) filed by Arista Networks, Inc., 429 MOTION to Strike /Exclude Testimony of Cate Elsten filed by Cisco Systems Inc, 430 MOTION to Strike /Exclude Testimony of William Seifert filed by Cisco Systems Inc. (tshS, COURT STAFF) (Filed on 10/11/2016) (Entered: 10/12/2016)
10/13/2016	577	NOTICE of Appearance by Lance L Yang for Plaintiff Cisco Systems, Inc. (Yang, Lance) (Filed on 10/13/2016) (Entered: 10/13/2016)
10/13/2016	578	MOTION for leave to appear in Pro Hac Vice for Todd Anten (Filing fee \$ 305, receipt number 0971-10847923.) filed by Cisco Systems Inc. (Anten, Todd) (Filed on 10/13/2016) (Entered: 10/13/2016)
10/13/2016	579	ORDER GRANTING 578 MOTION FOR PRO HAC VICE. Signed by Judge Beth Labson Freeman on 10/13/2016. (blflc4S, COURT STAFF) (Filed on 10/13/2016) (Entered: 10/13/2016)



10/14/2016	580	CLERK'S NOTICE RESETTING TIME OF MOTIONS IN LIMINE HEARINGS as to 525 MOTION in Limine No. 2 to Exclude Reference to Non-Asserted Works or Undisclosed Contentions, 535 MOTION in Limine No. 4, 533 MOTION in Limine No. 2, 524 MOTION in Limine No. 1 to Exclude Reference to ITC Investigations, 536 MOTION in Limine No. 5, 527 MOTION in Limine No. 5 to Exclude Evidence and Argument Regarding Documents Labeled as "Confidential" to Cisco, 526 MOTION in Limine No. 3 to Exclude Giancarlo Declaration and Related Testimony, 532 MOTION in Limine No. 1, 534 MOTION in Limine No. 3, 531 MOTION in Limine No. 4 to Preclude Testimony from Late-Disclosed Witnesses. Motion Hearing set for 11/3/2016 01:30 PM before Hon. Beth Labson Freeman. (This is a text-only entry generated by the court. There is no document associated with this entry.) (tshS, COURT STAFF) (Filed on 10/14/2016) (Entered: 10/14/2016)
10/17/2016	581	TRANSCRIPT ORDER for Future Trial with Daily Transcripts by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/17/2016) (Entered: 10/17/2016)
10/18/2016	582	NOTICE of Change In Counsel by Sean Sang-Chul Pak (<i>withdrawal of Matthew D. Cannon as counsel for Cisco Systems, Inc.</i>) (Pak, Sean) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	583	NOTICE of Change In Counsel by Sean Sang-Chul Pak (<i>withdrawal of Jason L. Liu as counsel for Cisco Systems, Inc.</i>) (Pak, Sean) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	 584	Administrative Motion to File Under Seal in Connection with Arista's Response to Cisco's Submission re Protectable Elements filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan K. Wong, # 2 Proposed Order, # 3 Redacted Response re Protectable Elements, # 4 Unredacted Response re Protectable Elements, # 5 Public Ex. 1 to Black Declaration, # 6 Under Seal Ex. 1 to Black Declaration, # 7 Public Ex. 7 to Wong Declaration, # 8 Under Seal Ex. 7 to Wong Declaration, # 9 Public Ex. 8 to Wong Declaration, # 10 Under Seal Ex. 8 to Wong Declaration, # 11 Public Ex. 9 to Wong Declaration, # 12 Under Seal Ex. 9 to Wong Declaration, # 13 Public Ex. 11 to Wong Declaration, # 14 Under Seal Ex. 11 to Wong Declaration, # 15 Public Ex. 12 to Wong Declaration, # 16 Under Seal Ex. 12 to Wong Declaration)(Wong, Ryan) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	585	RESPONSE to re 552 Notice (Other), Cisco's Submission re Protectable Elements by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	586	Declaration of Ryan Wong in Support of 585 Response (Non Motion) to Cisco's Submission re Protectable Elements filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12)(Related document(s) 585) (Wong, Ryan) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	587	Declaration of John R. Black in Support of 585 Response (Non Motion) to Cisco's Submission re Protectable Elements filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8)(Related document(s) 585) (Wong, Ryan) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	588	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 584 Administrative Motion to File Under Seal in Connection with Arista's Response to Cisco's Submission re Protectable Elements (Wong, Ryan) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	589	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 584 Administrative Motion to File Under Seal in Connection with Arista's Response to Cisco's Submission re Protectable Elements (Van Nest, Robert) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	590	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 584 Administrative Motion to File Under Seal in Connection with Arista's Response to Cisco's Submission re Protectable Elements (Van Nest, Robert) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/18/2016	591	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 584 Administrative Motion to File Under Seal in Connection with Arista's Response to Cisco's Submission re Protectable Elements (Van Nest, Robert) (Filed on 10/18/2016) (Entered: 10/18/2016)
10/19/2016	592	Administrative Motion to File Under Seal /Redact re: Court's Daubert Order filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order)(Ferrall, Brian) (Filed on 10/19/2016) (Entered: 10/19/2016)



10/19/2016	593	JOINT PRETRIAL STATEMENT AND (PROPOSED) ORDER by Cisco Systems Inc (Attachments: # 1 Appendix- A), # 2 Appendix - B), # 3 Appendix-C), # 4 Appendix-D), # 5 Appendix- E), # 6 Appendix-F), # 7 Appendix-G))(Neukom, John) (Filed on 10/19/2016) Modified on 10/20/2016 (bwS, COURT STAFF). (Entered: 10/20/2016)
10/21/2016	594	Proposed Form of Verdict by Arista Networks, Inc. . (Ferrall, Brian) (Filed on 10/21/2016) (Entered: 10/21/2016)
10/21/2016	595	Proposed Form of Verdict by Arista Networks, Inc. - <i>Cisco's Proposed Verdict Form.</i> (Ferrall, Brian) (Filed on 10/21/2016) (Entered: 10/21/2016)
10/21/2016	596	Proposed Voir Dire by Arista Networks, Inc. - <i>Parties' Joint Proposed Juror Questionnaire.</i> (Ferrall, Brian) (Filed on 10/21/2016) (Entered: 10/21/2016)
10/21/2016	597	Proposed Jury Instructions by Arista Networks, Inc. - <i>Parties' Undisputed and Disputed Jury Instructions.</i> (Ferrall, Brian) (Filed on 10/21/2016) (Entered: 10/21/2016)
10/21/2016	598	Statement re 597 Proposed Jury Instructions <i>Arista's Statement Concerning Jury Instruction Arguments</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 10/21/2016) (Entered: 10/22/2016)
10/22/2016	599	Statement re 597 Proposed Jury Instructions <i>Cisco's Statement Concerning Jury Instruction Arguments</i> by Cisco Systems Inc. (Neukom, John) (Filed on 10/22/2016) (Entered: 10/22/2016)
10/24/2016	600	Declaration of Joshua Glucoft in Support of 584 Administrative Motion to File Under Seal <i>in Connection with Arista's Response to Cisco's Submission re Protectable Elements</i> filed byJuniper Networks, Inc.. (Related document(s) 584) (Glucoft, Joshua) (Filed on 10/24/2016) (Entered: 10/24/2016)
10/24/2016	601	Declaration of Sara E. Jenkins in Support of 584 Administrative Motion to File Under Seal <i>in Connection with Arista's Response to Cisco's Submission re Protectable Elements</i> filed byCisco Systems Inc. (Related document(s) 584) (Jenkins, Sara) (Filed on 10/24/2016) (Entered: 10/24/2016)
10/25/2016	602	ORDER GRANTING IN PART AND DENYING IN PART 522 , 530 , 553 , 561 MOTIONS TO SEAL. Signed by Judge Beth Labson Freeman on 10/25/2016. (blflc4S, COURT STAFF) (Filed on 10/25/2016) (Entered: 10/25/2016)
10/26/2016	603	Proposed Jury Instructions by Arista Networks, Inc. -- <i>Parties' First Amended Stipulated and Disputed Proposed Jury Instructions.</i> (Ferrall, Brian) (Filed on 10/26/2016) (Entered: 10/26/2016)
10/27/2016	604	ORDER RE 584 , 592 SEALING MOTIONS. Signed by Judge Beth Labson Freeman on 10/27/2016. (blflc4S, COURT STAFF) (Filed on 10/27/2016) (Entered: 10/27/2016)
10/31/2016	605	NOTICE by Arista Networks, Inc. re 585 Response (Non Motion) <i>Joint Submission re Analytic Dissection Categories Suitable for Decision Without Evidentiary Hearing</i> (Ferrall, Brian) (Filed on 10/31/2016) (Entered: 10/31/2016)
11/01/2016	606	NOTICE by Arista Networks, Inc. re 602 Order on Administrative Motion to File Under Seal,,, <i>Notice of Public Filing of Exhibits in Response to Court's Order re Motions to Seal (ECF 522, 530, 553, 561)</i> (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7, # 8 Attachment 8, # 9 Attachment 9, # 10 Attachment 10, # 11 Attachment 11, # 12 Attachment 12, # 13 Attachment 13, # 14 Attachment 14, # 15 Attachment 15, # 16 Attachment 16)(Ferrall, Brian) (Filed on 11/1/2016) (Entered: 11/01/2016)
11/01/2016	607	NOTICE by Arista Networks, Inc. re 604 Order on Administrative Motion to File Under Seal, <i>Notice of Public Filing of Exhibits in Response to Court's Order re Sealing Motions (ECF 584 and 592)</i> (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5, # 6 Attachment 6, # 7 Attachment 7)(Ferrall, Brian) (Filed on 11/1/2016) (Entered: 11/01/2016)
11/03/2016	610	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Pretrial Conference held on 11/3/2016.Total Time in Court: 2:02. Court Reporter Name: Lee-Anne Shortridge. Plaintiff Attorney: Sean Pak, David Nelson. Defendant Attorney: Brian Ferrall, Robert Van Nest, David Silbert, Elizabeth McCloskey, Ryan Wong, Eduardo Santacana, David Rosen. This is a text only Minute Entry (tshS, COURT STAFF) (Date Filed: 11/3/2016) (Entered: 11/04/2016)



11/04/2016	608	TRANSCRIPT ORDER for proceedings held on 11/04/2016 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Lee-Anne Shortridge. (Van Nest, Robert) (Filed on 11/4/2016) (Entered: 11/04/2016)
11/04/2016	609	TRANSCRIPT ORDER for proceedings held on 11/03/2016 before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Lee-Anne Shortridge. (Pak, Sean) (Filed on 11/4/2016) (Entered: 11/04/2016)
11/04/2016	611	NOTICE by Cisco Systems Inc re 602 Order on Administrative Motion to File Under Seal,, <i>Notice of Public Filing</i> (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M)(Jenkins, Sara) (Filed on 11/4/2016) (Entered: 11/04/2016)
11/08/2016	 612	Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong, # 2 Proposed Order, # 3 Exhibit 9, # 4 Exhibit 9 Under Seal, # 5 Exhibit 10, # 6 Exhibit 10 Under Seal, # 7 Exhibit 11, # 8 Exhibit 11 Under Seal, # 9 Exhibit 13, # 10 Exhibit 13 Under Seal, # 11 Exhibit 14, # 12 Exhibit 14 Under Seal, # 13 Exhibit 15, # 14 Exhibit 15 Under Seal, # 15 Exhibit 16, # 16 Exhibit 16 Under Seal, # 17 Exhibit 17, # 18 Exhibit 17 Under Seal, # 19 Exhibit 18, # 20 Exhibit 18 Under Seal, # 21 Exhibit 20, # 22 Exhibit 20 Under Seal, # 23 Exhibit 22, # 24 Exhibit 22 Under Seal, # 25 Exhibit 30, # 26 Exhibit 30 Under Seal, # 27 Exhibit 32, # 28 Exhibit 32 Under Seal, # 29 Exhibit 33, # 30 Exhibit 33 Under Seal, # 31 Exhibit 36, # 32 Exhibit 36 Under Seal, # 33 Exhibit 38, # 34 Exhibit 38 Under Seal, # 35 Exhibit 39, # 36 Exhibit 39 Under Seal, # 37 Exhibit 42, # 38 Exhibit 42 Under Seal, # 39 Exhibit 44, # 40 Exhibit 44 Under Seal, # 41 Exhibit 45, # 42 Exhibit 45 Under Seal)(Ferrall, Brian) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	613	Declaration of Ryan Wong <i>in Support of Arista's Opening Brief re Analytic Dissection</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20)(Ferrall, Brian) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	614	EXHIBITS re 613 Declaration in Support,, <i>Wong Exhibits 21 through 40</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 21, # 2 Exhibit 22, # 3 Exhibit 23, # 4 Exhibit 24, # 5 Exhibit 25, # 6 Exhibit 26, # 7 Exhibit 27, # 8 Exhibit 28, # 9 Exhibit 29, # 10 Exhibit 30, # 11 Exhibit 31, # 12 Exhibit 32, # 13 Exhibit 33, # 14 Exhibit 34, # 15 Exhibit 35, # 16 Exhibit 36, # 17 Exhibit 37, # 18 Exhibit 38, # 19 Exhibit 39, # 20 Exhibit 40)(Related document(s) 613) (Ferrall, Brian) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	615	EXHIBITS re 613 Declaration in Support,, <i>Wong Exhibits 41 through 67</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit 41, # 2 Exhibit 42,*** EXHIBIT 42 REMOVED PURSUANT TO ORDER 657 *** # 3 Exhibit 43, # 4 Exhibit 44, # 5 Exhibit 45, # 6 Exhibit 46, # 7 Exhibit 47, # 8 Exhibit 48, # 9 Exhibit 49, # 10 Exhibit 50, # 11 Exhibit 51, # 12 Exhibit 52, # 13 Exhibit 53, # 14 Exhibit 54, # 15 Exhibit 55, # 16 Exhibit 56, # 17 Exhibit 57, # 18 Exhibit 58, # 19 Exhibit 59, # 20 Exhibit 60, # 21 Exhibit 61, # 22 Exhibit 62, # 23 Exhibit 63, # 24 Exhibit 64, # 25 Exhibit 65, # 26 Exhibit 66, # 27 Exhibit 67)(Related document(s) 613) (Ferrall, Brian) (Filed on 11/8/2016) Modified on 11/15/2016 (fff, COURT STAFF). (Attachment 2 replaced on 11/16/2016) (sp, COURT STAFF). Modified on 11/16/2016 (sp, COURT STAFF). Modified on 11/16/2016 (sp, COURT STAFF). (Entered: 11/08/2016)
11/08/2016	 616	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara Jenkins, # 2 Proposed Order, # 3 Redacted Version of Exhibit A to Almeroth Declaration, # 4 Unredacted Version of Exhibit A to Almeroth Declaration, # 5 Redacted Version of Exhibit C to Almeroth Declaration, # 6 Unredacted Version of Exhibit C to Almeroth Declaration, # 7 Redacted Version of Exhibit F to Almeroth Declaration, # 8 Unredacted Version of Exhibit F to Almeroth Declaration, # 9 Unredacted Version of Exhibit G to Almeroth Declaration, # 10 Redacted Version of Exhibit H to Almeroth Declaration, # 11 Unredacted Version of Exhibit H to Almeroth Declaration, # 12 Redacted Version of Exhibit 1 to Holmes Declaration, # 13 Unredacted Version of Exhibit 1 to Holmes Declaration, # 14 Redacted Version of Exhibit 2 to Holmes Declaration, # 15 Unredacted Version of Exhibit 2 to Holmes Declaration, # 16 Redacted Version of Exhibit 4 to Holmes Declaration, # 17 Unredacted Version of Exhibit 4 to Holmes Declaration, # 18 Unredacted Version of Exhibit 11 to Holmes Declaration, # 19 Unredacted Version of Exhibit 13 to Holmes Declaration, # 20 Unredacted




		Version of Exhibit 16 to Holmes Declaration, # 21 Unredacted Version of Exhibit 17 to Holmes Declaration, # 22 Redacted Version of CISCO'S TRIAL BRIEF RE: ANALYTIC DISSECTION AND FILTRATION, # 23 Unredacted Version of CISCO'S TRIAL BRIEF RE: ANALYTIC DISSECTION AND FILTRATION)(Neukom, John) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	 617	Administrative Motion to File Under Seal <i>Arista's Opening Brief re Analytic Dissection</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Ryan Wong, # 2 Proposed Order, # 3 Public Version of Arista Opening Brief re Analytic Dissection, # 4 Under Seal Version of Arista Opening Brief re Analytic Dissection)(Ferrall, Brian) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	618	TRIAL BRIEF <i>Arista's Opening Brief re Analytic Dissection</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	619	TRIAL BRIEF <i>CISCO'S TRIAL BRIEF RE: ANALYTIC DISSECTION AND FILTRATION</i> by Cisco Systems Inc. (Attachments: # 1 Declaration of Andrew M. Holmes, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4, # 6 Exhibit 5, # 7 Exhibit 6, # 8 Exhibit 7, # 9 Exhibit 8, # 10 Exhibit 9, # 11 Exhibit 10, # 12 Exhibit 11, # 13 Exhibit 12, # 14 Exhibit 13, # 15 Exhibit 14, # 16 Exhibit 15, # 17 Exhibit 16, # 18 Exhibit 17)(Neukom, John) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	620	Declaration of Dr. Kevin Almeroth in Support of 619 Trial Brief,, <i>CISCO'S TRIAL BRIEF RE: ANALYTIC DISSECTION AND FILTRATION</i> filed by Cisco Systems Inc. (Attachments: # 1 Exhibit A, # 2 Exhibit B (Part 1), # 3 Exhibit B (Part 2), # 4 Exhibit B (Part 3), # 5 Exhibit B (Part 4), # 6 Exhibit B (Part 5), # 7 Exhibit C, # 8 Exhibit D, # 9 Exhibit E, # 10 Exhibit F, # 11 Exhibit G, # 12 Exhibit H)(Related document(s) 619) (Neukom, John) (Filed on 11/8/2016) (Entered: 11/08/2016)
11/08/2016	  626	*SEALED* *SEALED* ORDER ON MOTIONS IN LIMINE filed UNDERSEAL. Signed by Judge Beth Labson Freeman on 11/08/2016. (tshS, COURT STAFF) (Filed on 11/8/2016) Modified on 11/10/2016 (srnS, COURT STAFF). (Entered: 11/09/2016)
11/09/2016	621	CERTIFICATE OF SERVICE by Cisco Systems Inc re 616 Administrative Motion to File Under Seal (Jenkins, Sara) (Filed on 11/9/2016) (Entered: 11/09/2016)
11/09/2016	622	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> , 617 Administrative Motion to File Under Seal <i>Arista's Opening Brief re Analytic Dissection re Juniper Networks, Inc.</i> (Ferrall, Brian) (Filed on 11/9/2016) (Entered: 11/09/2016)
11/09/2016	623	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> , 617 Administrative Motion to File Under Seal <i>Arista's Opening Brief re Analytic Dissection re Dell Inc.</i> (Ferrall, Brian) (Filed on 11/9/2016) (Entered: 11/09/2016)
11/09/2016	624	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 617 Administrative Motion to File Under Seal <i>Arista's Opening Brief re Analytic Dissection</i> (Ferrall, Brian) (Filed on 11/9/2016) (Entered: 11/09/2016)
11/09/2016	625	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> (Ferrall, Brian) (Filed on 11/9/2016) (Entered: 11/09/2016)
11/09/2016	627	INDEX A to 613 Declaration in Support, filed by Arista Networks, Inc.. (Attachments: # 1 Index A to Wong Declaration ISO Arista's Opening Brief Re Analytic Dissection)(Related document(s) 613) (Ferrall, Brian) (Filed on 11/9/2016) Modified on 11/10/2016 (srnS, COURT STAFF). (Entered: 11/09/2016)
11/10/2016	628	TRANSCRIPT ORDER for Future Trial with Daily Transcripts by Cisco Systems Inc. (Pak, Sean) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	629	Declaration of Joshua Glucoft in Support of 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> filed by Juniper Networks, Inc.. (Related document(s) 612) (Glucoft, Joshua) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	 630	Transcript of Proceedings held on 11-3-16, before Judge Beth Labson Freeman. Court Reporter/Transcriber Lee-Anne Shortridge, telephone number 408-287-4580 email: lee-anne_shortridge@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this



		transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 608 Transcript Order) Release of Transcript Restriction set for 2/8/2017. (Related documents(s) 608) (las,) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016		(Court only) TRANSCRIPT COPY DELIVERED re 609 Transcript Order (Related documents(s) 609) (las,) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	 631	Administrative Motion to File Under Seal <i>CISCO TRIAL BRIEF RE: COPYRIGHTED WORK</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit REDACTED VERSION OF CISCOS TRIAL BRIEF RE: COPYRIGHTED WORK, # 4 Exhibit UNREDACTED VERSION OF CISCOS TRIAL BRIEF RE: COPYRIGHTED WORK)(Neukom, John) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	 632	Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Brief Defining Cisco's Copyrighted Works</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Audrey Hadlock, # 2 Proposed Order, # 3 Exhibit 1 Under Seal Version)(Ferrall, Brian) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	633	TRIAL BRIEF <i>RE: COPYRIGHTED WORK</i> by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Exhibit, # 3 Exhibit)(Neukom, John) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	634	TRIAL BRIEF <i>RE: CISCO'S RIGHT TO A JURY DETERMINATION OF WILLFUL COPYRIGHT INFRINGEMENT</i> by Cisco Systems Inc. (Neukom, John) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	635	TRIAL BRIEF <i>Arista's Brief re Defining Cisco's Copyrighted Works</i> by Arista Networks, Inc.. (Attachments: # 1 Declaration of Audrey Hadlock, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4)(Ferrall, Brian) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	636	TRIAL BRIEF <i>Arista's Supplemental Brief Re Copyright Willfulness</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/10/2016	637	CERTIFICATE OF SERVICE by Cisco Systems Inc re 631 Administrative Motion to File Under Seal <i>CISCO TRIAL BRIEF RE: COPYRIGHTED WORK</i> (Jenkins, Sara) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/11/2016	638	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 632 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Brief Defining Cisco's Copyrighted Works</i> (Ferrall, Brian) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/11/2016	639	TRIAL BRIEF by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/11/2016	640	STIPULATION WITH PROPOSED ORDER <i>RE: COURTROOM EQUIPMENT FOR TRIAL</i> filed by Cisco Systems Inc. (Neukom, John) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/11/2016	 641	Administrative Motion to File Under Seal <i>Portions of Cisco's Trial Brief</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration, # 2 Proposed Order, # 3 Exhibit Redacted Version of Cisco's Trial Brief, # 4 Exhibit Unredacted Version of Cisco's Trial Brief)(Neukom, John) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/11/2016	642	TRIAL BRIEF by Cisco Systems Inc. (Neukom, John) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/11/2016	643	CERTIFICATE OF SERVICE by Cisco Systems Inc re 641 Administrative Motion to File Under Seal <i>Portions of Cisco's Trial Brief</i> (Jenkins, Sara) (Filed on 11/11/2016) (Entered: 11/11/2016)
11/14/2016	644	Declaration of Roderick M. Thompson in Support of 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> filed by Dell Inc.. (Related document(s) 612) (Thompson, Roderick) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	645	Declaration of Ryan K. Wong in Support of 616 Administrative Motion to File Under Seal <i>Confidential Information In Cisco's Trial Brief Re: Analytic Dissection And Filtration</i> filed by Arista Networks, Inc.. (Related document(s) 616) (Wong, Ryan) (Filed on 11/14/2016) (Entered: 11/14/2016)





11/14/2016	646	ORDER GRANTING 640 STIPULATION RE COURTROOM EQUIPMENT. Signed by Judge Beth Labson Freeman on 11/14/2016. (blflc4, COURT STAFF) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	647	Proposed Voir Dire by Arista Networks, Inc. <i>Parties' Amended Joint Proposed Juror Questionnaire.</i> (Ferrall, Brian) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	648	Declaration of Sara E. Jenkins in Support of 612 Administrative Motion to File Under Seal <i>Documents in Connection with Arista's Opening Brief on Analytic Dissection</i> filed by Cisco Systems Inc. (Related document(s) 612) (Jenkins, Sara) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	649	Declaration of David J. Rosen in Support of 631 Administrative Motion to File Under Seal <i>CISCO TRIAL BRIEF RE: COPYRIGHTED WORK</i> filed by Arista Networks, Inc.. (Related document(s) 631) (Rosen, David) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	650	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties Undisputed Statement of the Case; Jury Instruction No. 2.</i> (Ferrall, Brian) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	651	TRIAL BRIEF <i>Arista's Reply Brief re Analytic Dissection</i> by Arista Networks, Inc.. (Attachments: # 1 Declaration of Audrey Hadlock, # 2 Exhibit A, # 3 Exhibit B)(Ferrall, Brian) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	 652	Administrative Motion to File Under Seal filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara E. Jenkins in Support of Cisco's Administrative Motion to Seal, # 2 Proposed Order Granting Cisco's Administrative Motion to Seal, # 3 Redacted Version of Cisco's Response to Arista's Brief Re Analytic Dissection, # 4 Unredacted Version of Cisco's Response to Arista's Brief on Analytic Dissection, # 5 Unredacted Version of Exhibit 1, # 6 Unredacted Version of Exhibit 2)(Neukom, John) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	653	TRIAL BRIEF <i>Cisco's Response to Arista's Brief re Analytic Dissection</i> by Cisco Systems Inc. (Attachments: # 1 Declaration of John M. Neukom in Support of Cisco's Response to Arista's Brief re Analytic Dissection, # 2 Exhibit 1 to the Declaration of John M. Neukom, # 3 Exhibit 2 to the Declaration of John M. Neukom)(Neukom, John) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/14/2016	654	CERTIFICATE OF SERVICE by Cisco Systems Inc re 652 Administrative Motion to File Under Seal (Jenkins, Sara) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/15/2016	655	MOTION to Remove Incorrectly Filed Document (<i>ECF 615-2</i>) filed by Arista Networks, Inc.. (Attachments: # 1 Proposed Order)(Ferrall, Brian) (Filed on 11/15/2016) (Entered: 11/15/2016)
11/15/2016	656	EXHIBIT-42 re 613 Declaration in Support,, filed by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 11/15/2016) Modified on 11/15/2016 (bwS, COURT STAFF). (Entered: 11/15/2016)
11/15/2016	657	ORDER GRANTING 655 MOTION TO REMOVE INCORRECTLY FILED DOCUMENT. Signed by Judge Beth Labson Freeman on 11/15/2016. (blflc4S, COURT STAFF) (Filed on 11/15/2016) (Entered: 11/15/2016)
11/15/2016	658	STIPULATION WITH PROPOSED ORDER <i>re Exhibits</i> filed by Arista Networks, Inc.. (Attachments: # 1 Exhibit A)(Ferrall, Brian) (Filed on 11/15/2016) (Entered: 11/15/2016)
11/16/2016	659	ORDER GRANTING 658 JOINT STIPULATION REGARDING EXHIBITS. Signed by Judge Beth Labson Freeman on 11/16/2016. (blflc4S, COURT STAFF) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/16/2016	660	Administrative Motion to File Under Seal <i>Portions of Court's Order RE Motions In Limine</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration, # 2 Proposed Order)(Ferrall, Brian) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/16/2016	661	REDACTED ORDER ON DAUBERT MOTIONS. Signed by Judge Beth Labson Freeman on 10/11/2016. (tshS, COURT STAFF) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/16/2016	 662	Administrative Motion to File Under Seal <i>/Redact Portions of Pretrial Conference Transcript</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Exhibit A to Declaration of of Eduardo E. Santacana, # 3 Exhibit B to Declaration of Eduardo E. Santacana, # 4 Exhibit C to Declaration of of Eduardo E. Santacana, # 5 Proposed Order)(Ferrall, Brian) (Filed on 11/16/2016) (Entered: 11/16/2016)





11/16/2016	663	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 662 Administrative Motion to File Under Seal /Redact Portions of Pretrial Conference Transcript (Ferrall, Brian) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/16/2016	664	JOINT STIPULATION REGARDING CERTAIN TRIAL EVIDENCE; [PROPOSED] ORDER filed by Arista Networks, Inc. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Ferrall, Brian) (Filed on 11/16/2016) Modified on 11/17/2016 (bwS, COURT STAFF). (Entered: 11/16/2016)
11/16/2016	665	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties' Second Amended Proposed Jury Instructions</i> . (Ferrall, Brian) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/16/2016	666	Proposed Form of Verdict by Arista Networks, Inc. <i>Arista's First Amended Proposed Verdict Form</i> . (Ferrall, Brian) (Filed on 11/16/2016) (Entered: 11/16/2016)
11/17/2016	667	First MOTION for leave to appear in Pro Hac Vice (Filing fee \$ 305, receipt number 0971-10937983.) filed by Cisco Systems Inc. (Attachments: # 1 Exhibit)(Roberts, Owen) (Filed on 11/17/2016) (Entered: 11/17/2016)
11/17/2016	668	ORDER GRANTING 664 STIPULATION REGARDING CERTAIN TRIAL EVIDENCE. Signed by Judge Beth Labson Freeman on 11/17/2016. (blflc4, COURT STAFF) (Filed on 11/17/2016) (Entered: 11/17/2016)
11/17/2016	669	ORDER GRANTING 667 MOTION FOR PRO HAC VICE. Signed by Judge Beth Labson Freeman on 11/17/2016. (blflc4, COURT STAFF) (Filed on 11/17/2016) (Entered: 11/17/2016)
11/17/2016	670	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties' Amended Undisputed Jury Instruction No. 68</i> . (Ferrall, Brian) (Filed on 11/17/2016) (Entered: 11/17/2016)
11/18/2016	671	ORDER RE 593 JOINT PRETRIAL STATEMENT. Signed by Judge Beth Labson Freeman on 11/18/2016. (blflc4S, COURT STAFF) (Filed on 11/18/2016) (Entered: 11/18/2016)
11/18/2016	 672	Transcript of Proceedings Vol. 1 held on 11/18/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 2/16/2017. (Fisher, Summer) (Filed on 11/18/2016) (Entered: 11/18/2016)
11/18/2016	673	Declaration of Andrea Nill Sanchez in Support of 652 Administrative Motion to File Under Seal <i>Confidential Information in Cisco's Response to Arista's Brief re Analytic Dissection</i> filed by Arista Networks, Inc.. (Related document(s) 652) (Ferrall, Brian) (Filed on 11/18/2016) (Entered: 11/18/2016)
11/18/2016	675	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Selection held on 11/18/2016. Further Jury Selection set for 11/28/2016 at 9:00 AM.Total Time in Court: 3:00. Court Reporter Name: Summer Fisher. Plaintiff Attorney: Sean Pak, David Nelson. Defendant Attorney: Robert Van Nest, Brian Ferrall. This is a text only Minute Entry (tshS, COURT STAFF)(Date Filed: 11/18/2016) (Entered: 11/21/2016)
11/20/2016	674	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties' Third Amended Proposed Jury Instructions</i> . (Ferrall, Brian) (Filed on 11/20/2016) (Entered: 11/20/2016)
11/21/2016	676	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Pretrial Conference held on 11/21/2016.Total Time in Court: 5:36. Court Reporter Name: Summer Fisher. Plaintiff Attorney: David Nelson, Sean Pak, Kathleen Sullivan. Defendant Attorney: David Silbert, Brian Ferrell, Robert Van Nest, Michael Kuan. This is a text only Minute Entry (tshS, COURT STAFF) (Date Filed: 11/21/2016) (Entered: 11/21/2016)
11/21/2016	 677	Transcript of Proceedings Trial Vol. 2 held on 11/21/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it





		may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 2/21/2017. (Fisher, Summer) (Filed on 11/21/2016) (Entered: 11/21/2016)
11/21/2016	678	Proposed Jury Instructions by Cisco Systems Inc <i>CISCOS AMENDED PROPOSED PRELIMINARY INSTRUCTION NO. 12.</i> (Neukom, John) (Filed on 11/21/2016) (Entered: 11/21/2016)
11/23/2016	679	Pretrial Conference Statement by Arista Networks, Inc. <i>Arista's Supplemental Kavasseri Deposition Designations.</i> (Van Nest, Robert) (Filed on 11/23/2016) (Entered: 11/23/2016)
11/25/2016	680	TRIAL BRIEF <i>Arista's Objections to Cisco's 11/28/16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/25/2016) (Entered: 11/25/2016)
11/25/2016	681	Exhibit List <i>Amended Appendix D to the Joint Pretrial Statement and the Proposed Order</i> by Arista Networks, Inc... (Van Nest, Robert) (Filed on 11/25/2016) (Entered: 11/25/2016)
11/25/2016	682	Exhibit List <i>Amended Appendix C to the Joint Pretrial Statement and the Proposed Order</i> by Cisco Systems Inc.. (Neukom, John) (Filed on 11/25/2016) (Entered: 11/25/2016)
11/26/2016	683	Proposed Order <i>Clarifying Order re Motions in Limine</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/26/2016) (Entered: 11/26/2016)
11/27/2016	684	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties' Stipulated Preliminary Jury Instructions.</i> (Ferrall, Brian) (Filed on 11/27/2016) (Entered: 11/27/2016)
11/28/2016	685	ORDER CLARIFYING ORDER RE MOTIONS IN LIMINE. Signed by Judge Beth Labson Freeman on 11/28/2016. (blflc4S, COURT STAFF) (Filed on 11/28/2016) (Entered: 11/28/2016)
11/28/2016	686	TRIAL BRIEF <i>Arista's Objections to Cisco's 11/29/16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/28/2016) (Entered: 11/28/2016)
11/28/2016	 687	Transcript of Proceedings Trial Vol. 3 held on 11/28/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 2/27/2017. (Fisher, Summer) (Filed on 11/28/2016) (Entered: 11/28/2016)
11/28/2016	689	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Selection held on 11/28/2016., Jury Trial began on 11/28/2016. Further Jury Trial set for 11/29/2016 at 8:30 AM.Total Time in Court: 7:12. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 11/28/2016) (Entered: 11/29/2016)
11/29/2016	688	OMNIBUS ORDER RE 612 , 616 , 617 , 631 , 632 , 641 , 652 , 660 , 662 PRETRIAL SEALING MOTIONS. Signed by Judge Beth Labson Freeman on 11/29/2016. (blflc4S, COURT STAFF) (Filed on 11/29/2016) Modified on 11/29/2016 (srnS, COURT STAFF). (Entered: 11/29/2016)
11/29/2016	690	TRIAL BRIEF <i>Arista's Objections to Cisco's 11/30/16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/29/2016) (Entered: 11/29/2016)
11/29/2016	 691	Transcript of Proceedings Trial Vol. 4 held on 11/29/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 2/27/2017. (Fisher, Summer) (Filed on 11/29/2016) (Entered: 11/29/2016)
11/29/2016	692	STIPULATION <i>Stipulated Limiting Instruction Re Charles Giancarlo Testimony</i> filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/29/2016) (Entered: 11/29/2016)
11/29/2016	693	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 11/29/2016. Further Jury Trial set for 11/30/2016 at 8:30 AM.Total Time in Court: 6:43. Court


		Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 11/29/2016) (Entered: 11/30/2016)
11/30/2016	694	OBJECTIONS TO PLAINTIFF CISCOS 12/01/16 TRIAL EXHIBITS AND DEMONSTRATIVES by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 11/30/2016) Text modified on 12/1/2016 conforming to posted document caption (bwS, COURT STAFF). (Entered: 11/30/2016)
11/30/2016	 695	Transcript of Proceedings Trial Vol. 5 held on 11/30/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 2/28/2017. (Fisher, Summer) (Filed on 11/30/2016) (Entered: 11/30/2016)
11/30/2016	696	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 11/30/2016. Further Jury Trial set 12/01/2016 12:30 PM Total Time in Court: 6:00. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 11/30/2016) (Entered: 12/01/2016)
12/01/2016	697	TRIAL BRIEF <i>CISCOS OBJECTIONS TO ARISTAS 12/2/2016 EXHIBITS AND DEMONSTRATIVES</i> by Cisco Systems Inc. (Neukom, John) (Filed on 12/1/2016) (Entered: 12/01/2016)
12/01/2016	698	TRIAL BRIEF <i>Arista's Objections to Cisco's 12/2/16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/1/2016) (Entered: 12/01/2016)
12/01/2016	 699	SEE REDACTED VERSION - DOCKET 773 ***Transcript of Proceedings Trial Vol. 6 held on 12/01/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/1/2017. (Fisher, Summer) (Filed on 12/1/2016) Modified on 3/3/2017 (sp, COURT STAFF). Modified on 3/3/2017 (sp, COURT STAFF). (Entered: 12/01/2016)
12/01/2016	701	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/1/2016. Further Jury Trial set for 12/02/2016 8:30 AM. Total Time in Court: 4:25. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/1/2016) (Entered: 12/02/2016)
12/02/2016	700	TRIAL BRIEF <i>Arista's Objections to Cisco's 12/05/16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/2/2016) (Entered: 12/02/2016)
12/02/2016	702	TRIAL BRIEF <i>CISCOS OBJECTIONS TO ARISTAS 12/5/2016 TRIAL EXHIBITS AND DEMONSTRATIVES</i> by Cisco Systems Inc. (Neukom, John) (Filed on 12/2/2016) (Entered: 12/02/2016)
12/02/2016	 703	Transcript of Proceedings Trial Vol. 7 held on 12/02/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/2/2017. (Fisher, Summer) (Filed on 12/2/2016) (Entered: 12/02/2016)
12/02/2016	706	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/2/2016. Further Jury Trial set for 12/05/2016 08:30 AM. Total Time in Court: 6:52. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/2/2016) (Entered: 12/06/2016)








12/05/2016	704	TRIAL BRIEF <i>CISCOS OBJECTIONS TO ARISTAS 12/6/2016 TRIAL EXHIBITS AND DEMONSTRATIVES</i> by Cisco Systems Inc. (Neukom, John) (Filed on 12/5/2016) (Entered: 12/05/2016)
12/05/2016	716	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/5/2016. Further Jury Trial set for 12/06/2016 9:30 AM.Total Time in Court: 6:52. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/5/2016) (Entered: 12/07/2016)
12/06/2016	 705	SEE REDACTED VERSION - DOCKET 774 *** Transcript of Proceedings Trial Vol. 8 held on 12/05/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/6/2017. (Fisher, Summer) (Filed on 12/6/2016) Modified on 3/3/2017 (sp, COURT STAFF). (Entered: 12/06/2016)
12/06/2016	707	TRIAL BRIEF <i>Arista's Objections to Cisco's 12/07/2016 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/6/2016) (Entered: 12/06/2016)
12/06/2016	708	TRIAL BRIEF <i>CISCOS OBJECTIONS TO ARISTAS 12/7/2016 TRIAL EXHIBITS AND DEMONSTRATIVES</i> by Cisco Systems Inc. (Neukom, John) (Filed on 12/6/2016) (Entered: 12/06/2016)
12/06/2016	709	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties Fourth Amended Proposed Jury Instructions</i> . (Ferrall, Brian) (Filed on 12/6/2016) (Entered: 12/06/2016)
12/06/2016	710	Proposed Jury Instructions by Cisco Systems Inc <i>CISCOS OBJECTIONS TO ARISTAS SUBMISSION OF JURY INSTRUCTIONS NOS. 33, 56A AND 66</i> . (Neukom, John) (Filed on 12/6/2016) (Entered: 12/06/2016)
12/06/2016	 711	SEE REDACTED VERSION - DOCKET 775 *** Transcript of Proceedings Trial Vol. 9 held on 12/06/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/6/2017. (Fisher, Summer) (Filed on 12/6/2016) Modified on 3/3/2017 (sp, COURT STAFF). (Entered: 12/06/2016)
12/06/2016	712	Proposed Form of Verdict by Cisco Systems Inc <i>AMENDED PROPOSED VERDICT FORM</i> . (Neukom, John) (Filed on 12/6/2016) (Entered: 12/07/2016)
12/06/2016	726	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/6/2016. Further Jury Trial set for 12/07/2016. Total Time in Court: 6:21. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF) (Date Filed: 12/6/2016) (Entered: 12/09/2016)
12/07/2016	713	Proposed Form of Verdict by Arista Networks, Inc. <i>Arista's Second Amended Proposed Verdict Form</i> . (Ferrall, Brian) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	714	STIPULATION WITH PROPOSED ORDER <i>re Willful Copyright Infringement</i> filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	715	Proposed Jury Instructions by Arista Networks, Inc. <i>Parties' Disputed Proposed Jury Instructions-- Instruction Nos. 39/41</i> . (Ferrall, Brian) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	717	TRIAL BRIEF <i>Arista's Brief re Argument and Evidence Re Specific Cisco Products</i> by Arista Networks, Inc.. (Ferrall, Brian) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	718	ORDER GRANTING 714 STIPULATION REGARDING WILLFUL COPYRIGHT INFRINGEMENT. Signed by Judge Beth Labson Freeman on 12/7/2016. (blflc4, COURT STAFF) (Filed on 12/7/2016) (Entered: 12/07/2016)



12/07/2016	 719	*SEALED* PRELIMINARY ORDER RE ANALYTIC DISSECTION AND SCOPE OF PROTECTION. Signed by Judge Beth Labson Freeman on 12/7/2016. (blflc4, COURT STAFF) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	720	NOTICE of Intent to Request Redaction of Transcript by John M. Neukom <i>FOR NOVEMBER 30, 2016</i> (Neukom, John) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	721	NOTICE of Intent to Request Redaction of Transcript by John M. Neukom <i>FOR DECEMBER 1, 2016</i> (Neukom, John) (Filed on 12/7/2016) (Entered: 12/07/2016)
12/07/2016	727	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/7/2016. Further Jury Instructions Conference set for 12/08/2016.Total Time in Court: 6:24. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF) (Date Filed: 12/7/2016) (Entered: 12/09/2016)
12/08/2016	 722	SEE REDACTED VERSION - DOCKET 776 ***Transcript of Proceedings Trial Vol. 10 held on 12/07/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/8/2017. (Fisher, Summer) (Filed on 12/8/2016) Modified on 3/3/2017 (sp, COURT STAFF). (Entered: 12/08/2016)
12/08/2016	 723	Transcript of Proceedings Trial Vol. 11 held on 12/08/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/8/2017. (Fisher, Summer) (Filed on 12/8/2016) (Entered: 12/08/2016)
12/08/2016	724	TRIAL BRIEF <i>CISCO OBJECTIONS TO ARISTAS 12/9/2016 TRIAL EXHIBITS AND DEMONSTRATIVES</i> by Cisco Systems Inc. (Neukom, John) (Filed on 12/8/2016) (Entered: 12/08/2016)
12/08/2016	725	TRIAL BRIEF <i>Arista's Objections to Cisco's 12-09-16 Trial Exhibits and Demonstratives</i> by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 12/8/2016) (Entered: 12/08/2016)
12/08/2016	728	Minute Entry for proceedings held before Hon. Beth Labson Freeman: In Chambers Conference held on 12/8/2016. Jury Trial held on 12/8/2016. Further Jury Trial set for 12/09/2016.Total Time in Court: 14 minutes. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF) (Date Filed: 12/8/2016) (Entered: 12/09/2016)
12/09/2016	729	NOTICE by Arista Networks, Inc. re 688 Order on Administrative Motion to File Under Seal,,,,,,,,, <i>Notice of Public Filing of Exhibits</i> (Attachments: # 1 Attachment 1, # 2 Attachment 2, # 3 Attachment 3, # 4 Attachment 4, # 5 Attachment 5)(Ferrall, Brian) (Filed on 12/9/2016) (Entered: 12/09/2016)
12/09/2016	 730	Transcript of Proceedings Trial Vol. 12 held on 12/09/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/9/2017. (Fisher, Summer) (Filed on 12/9/2016) (Entered: 12/09/2016)
12/09/2016	733	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/9/2016.Total Time in Court: 5:59. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/9/2016) (Entered: 12/12/2016)

12/09/2016	740	FINAL ORDER RE ANALYTIC DISSECTION AND SCOPE OF PROTECTION. Signed by Judge Beth Labson Freeman on 12/09/2016. (tshS, COURT STAFF) (Filed on 12/9/2016) Modified on 5/26/2017 (tshS, COURT STAFF) Document Unsealed. (Entered: 12/13/2016)
12/10/2016	731	Proposed Jury Instructions by Arista Networks, Inc. <i>Joint Submission of Final Jury Instructions and Verdict Form.</i> (Attachments: # 1 Final Jury Instructions, # 2 Verdict Form)(Ferrall, Brian) (Filed on 12/10/2016) (Entered: 12/10/2016)
12/12/2016	732	TRIAL BRIEF IN SUPPORT OF CISCOS RULE 50(a) MOTION FOR JUDGMENT AS A MATTER OF LAW by Cisco Systems Inc. (Sullivan, Kathleen) (Filed on 12/12/2016) (Entered: 12/12/2016)
12/12/2016	 734	SEE REDACTED VERSION - DOCKET 777 ***Transcript of Proceedings Trial Vol. 13 held on 12/12/16, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. Release of Transcript Restriction set for 3/13/2017. (Fisher, Summer) (Filed on 12/12/2016) Modified on 3/3/2017 (sp, COURT STAFF). (Entered: 12/12/2016)
12/12/2016	735	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/12/2016.Total Time in Court: 4:30. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/12/2016) (Entered: 12/13/2016)
12/12/2016	736	Jury Instructions. (tshS, COURT STAFF) (Filed on 12/12/2016) (tshS, COURT STAFF). (Entered: 12/13/2016)
12/12/2016	737	Final Jury Instructions. (tshS, COURT STAFF) (Filed on 12/12/2016) (tshS, COURT STAFF). (Entered: 12/13/2016)
12/13/2016	738	ADMINISTRATIVE MOTION to maintain under seal and redact portions of the pretrial conference re 662 Administrative Motion to File Under Seal / <i>Redact Portions of Pretrial Conference Transcript</i> , 688 Order on Administrative Motion to File Under Seal,,,,,, filed by Arista Networks, Inc.. Responses due by 12/19/2016. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order) (Santacana, Eduardo) (Filed on 12/13/2016) (Entered: 12/13/2016)
12/13/2016	739	NOTICE of Change In Counsel by Juanita R. Brooks (Brooks, Juanita) (Filed on 12/13/2016) (Entered: 12/13/2016)
12/13/2016	741	NOTICE of Intent to Request Redaction of Transcript by John M. Neukom <i>for December 6, 2016</i> (Neukom, John) (Filed on 12/13/2016) (Entered: 12/13/2016)
12/13/2016	742	NOTICE of Intent to Request Redaction of Transcript by John M. Neukom <i>for December 7, 2016</i> (Neukom, John) (Filed on 12/13/2016) (Entered: 12/13/2016)
12/13/2016	743	NOTICE of Intent to Request Redaction of Transcript by John M. Neukom <i>for December 12, 2016</i> (Neukom, John) (Filed on 12/13/2016) (Entered: 12/13/2016)
12/13/2016	745	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial held on 12/13/2016.Off the Record Conference: 30 minutes. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/13/2016) (Entered: 12/14/2016)
12/13/2016	 746	(Court only) Jury Note #1. Response agreed upon by all parties. (tshS, COURT STAFF) (Filed on 12/13/2016) (Entered: 12/14/2016)
12/13/2016	 747	(Court only) Jury Note #2. Response agreed upon by all parties. (tshS, COURT STAFF) (Filed on 12/13/2016) (Entered: 12/14/2016)
12/14/2016	 744	Transcript of Proceedings Trial Vol. 14 held on 12/14/2016, before Judge Beth Labson Freeman. Court Reporter/Transcriber Summer Fisher, telephone number 408-288-6150 summer_fisher@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 581 Transcript Order - Future Trial with Daily

		Transcripts) Release of Transcript Restriction set for 3/14/2017. (Related documents(s) 581) (Fisher, Summer) (Filed on 12/14/2016) (Entered: 12/14/2016)
12/14/2016		(Court only) TRANSCRIPT COPY DELIVERED re 628 Transcript Order - Future Trial with Daily Transcripts (Related documents(s) 628) (Fisher, Summer) (Filed on 12/14/2016) (Entered: 12/14/2016)
12/14/2016	748	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Jury Trial completed on 12/14/2016.Total Time in Court: 19 Minutes. Court Reporter Name: Summer Fisher. (tshS, COURT STAFF)(Date Filed: 12/14/2016) (Entered: 12/14/2016)
12/14/2016	749	JURY VERDICT. (tshS, COURT STAFF) (Filed on 12/14/2016) (Entered: 12/14/2016)
12/15/2016	751	ORDER TO PAY ADDITIONAL ATTENDANCE FEE. Signed by Judge Beth Labson Freeman on 12/15/2016. (tshS, COURT STAFF) (Filed on 12/15/2016) (Entered: 12/19/2016)
12/19/2016	750	JUDGMENT. Signed by Judge Beth Labson Freeman on 12/19/2016. (Attachments: # 1 Jury Verdict) (blflc4S, COURT STAFF) (Filed on 12/19/2016) (Entered: 12/19/2016)
12/19/2016		(Court only) ***Civil Case Terminated. (srnS, COURT STAFF) (Filed on 12/19/2016) (Entered: 12/19/2016)
01/03/2017	 752	Administrative Motion to File Under Seal <i>Documents Filed in Support of Arista's Bill of Costs</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Eduardo E. Santacana, # 2 Proposed Order, # 3 Exhibits A-H-Under Seal)(Ferrall, Brian) (Filed on 1/3/2017) (Entered: 01/03/2017)
01/03/2017	753	BILL OF COSTS by Arista Networks, Inc.. Objections due by 1/17/2017 (Attachments: # 1 Declaration of Elizabeth K. McCloskey, # 2 Exhibit A-H)(Ferrall, Brian) (Filed on 1/3/2017) (Entered: 01/03/2017)
01/03/2017	754	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 752 Administrative Motion to File Under Seal <i>Documents Filed in Support of Arista's Bill of Costs</i> (Ferrall, Brian) (Filed on 1/3/2017) (Entered: 01/03/2017)
01/09/2017	755	ORDER GRANTING 752 MOTION TO SEAL EXHIBITS FILED IN SUPPORT OF BILL OF COSTS. Signed by Judge Beth Labson Freeman on 1/9/2017. (blflc4S, COURT STAFF) (Filed on 1/9/2017) (Entered: 01/09/2017)
01/13/2017	 756	Administrative Motion to File Under Seal <i>Documents Filed in Support of Arista Networks, Inc.'s Amended Bill of Costs</i> filed by Arista Networks, Inc.. (Attachments: # 1 Declaration Declaration of Eduardo E. Santacana in Support of Administrative Motion to Seal Documents Filed in Support of Amended Bill of Costs, # 2 Proposed Order Granting Administrative Motion to Seal, # 3 Exhibit Redacted version of Exhibits A-H to Declaration of Elizabeth K. McCloskey in Support of Amended Bill of Costs, # 4 Exhibit Unredacted version of Exhibits A-H to Declaration of Elizabeth K. McCloskey in Support of Amended Bill of Costs)(Ferrall, Brian) (Filed on 1/13/2017) (Entered: 01/13/2017)
01/13/2017	757	BILL OF COSTS (<i>Amended</i>) by Arista Networks, Inc.. Objections due by 1/27/2017 (Attachments: # 1 Declaration of Elizabeth K. McCloskey in Support of Arista Networks, Inc.'s Amended Bill of Costs, # 2 Exhibit Exhibits A-H to Declaration of Elizabeth K. McCloskey in Support of Arista Networks, Inc.'s Amended Bill of Costs (Public Version))(Ferrall, Brian) (Filed on 1/13/2017) (Entered: 01/13/2017)
01/13/2017	758	CERTIFICATE OF SERVICE by Arista Networks, Inc. re 756 Administrative Motion to File Under Seal <i>Documents Filed in Support of Arista Networks, Inc.'s Amended Bill of Costs</i> (Ferrall, Brian) (Filed on 1/13/2017) (Entered: 01/13/2017)
01/14/2017	759	STIPULATION WITH PROPOSED ORDER re 757 Bill of Costs, 753 Bill of Costs <i>JOINT STIPULATION REGARDING ARISTA'S BILL OF COSTS; PROPOSED ORDER</i> filed by Cisco Systems Inc. (Sullivan, Kathleen) (Filed on 1/14/2017) (Entered: 01/14/2017)
01/17/2017	760	MOTION for Judgment as a Matter of Law <i>and Conditional Motion for New Trial (Fed. R. Civ. P. 50(b) and 59)</i> filed by Arista Networks, Inc.. Responses due by 1/31/2017. Replies due by 2/7/2017. (Van Nest, Robert) (Filed on 1/17/2017) (Entered: 01/17/2017)
01/17/2017	761	MOTION for Judgment as a Matter of Law <i>CISCOS RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW</i> filed by Cisco Systems Inc. Motion Hearing set for 4/27/2017 09:00 AM in Courtroom 3, 5th Floor, San Jose before Hon. Beth Labson Freeman. Responses due by 1/31/2017.

		Replies due by 2/7/2017. (Attachments: # 1 Declaration OF SARA E. JENKINS IN SUPPORT OF CISCO'S RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H, # 10 Exhibit I, # 11 Exhibit J, # 12 Exhibit K, # 13 Exhibit L, # 14 Exhibit M, # 15 Proposed Order) (Sullivan, Kathleen) (Filed on 1/17/2017) (Entered: 01/17/2017)
01/18/2017	762	ORDER GRANTING 759 STIPULATION RE BILL OF COSTS. Signed by Judge Beth Labson Freeman on 1/18/2017. (blfc4, COURT STAFF) (Filed on 1/18/2017) (Entered: 01/18/2017)
01/31/2017	763	OPPOSITION/RESPONSE (re 761 MOTION for Judgment as a Matter of Law <i>CISCOS RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW</i>) filed by Arista Networks, Inc.. (Attachments: # 1 Declaration of Audrey Hadlock, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D, # 6 Exhibit E, # 7 Exhibit F, # 8 Exhibit G, # 9 Exhibit H Part 1, # 10 Exhibit H Part 2, # 11 Exhibit H Part 3, # 12 Exhibit I, # 13 Exhibit J, # 14 Exhibit K, # 15 Exhibit L, # 16 Exhibit M, # 17 Exhibit N, # 18 Exhibit O, # 19 Exhibit P, # 20 Exhibit Q, # 21 Exhibit R, # 22 Exhibit S, # 23 Exhibit T, # 24 Exhibit U)(Van Nest, Robert) (Filed on 1/31/2017) (Entered: 01/31/2017)
01/31/2017	764	ORDER GRANTING 756 MOTION TO SEAL. Signed by Judge Beth Labson Freeman on 1/31/2017. (blfc4S, COURT STAFF) (Filed on 1/31/2017) (Entered: 01/31/2017)
01/31/2017	765	OPPOSITION/RESPONSE (re 760 MOTION for Judgment as a Matter of Law <i>and Conditional Motion for New Trial (Fed. R. Civ. P. 50(b) and 59)</i>) filed by Cisco Systems Inc. (Attachments: # 1 Declaration DECLARATION OF SARA E. JENKINS IN OPPOSITION TO ARISTAS MOTION FOR JMOL & NEW TRIAL, # 2 Exhibit N, # 3 Exhibit O, # 4 Exhibit P, # 5 Exhibit Q, # 6 Exhibit R, # 7 Exhibit S, # 8 Exhibit T, # 9 Exhibit U, # 10 Exhibit V, # 11 Exhibit W, # 12 Exhibit X, # 13 Exhibit Y, # 14 Exhibit Z, # 15 Exhibit AA, # 16 Exhibit BB, # 17 Exhibit CC, # 18 Exhibit DD, # 19 Exhibit EE, # 20 Exhibit FF, # 21 Exhibit GG, # 22 Exhibit HH, # 23 Exhibit II, # 24 Exhibit JJ, # 25 Exhibit KK, # 26 Exhibit LL, # 27 Exhibit MM)(Sullivan, Kathleen) (Filed on 1/31/2017) (Entered: 01/31/2017)
02/07/2017	766	REPLY (re 760 MOTION for Judgment as a Matter of Law <i>and Conditional Motion for New Trial (Fed. R. Civ. P. 50(b) and 59)</i>) filed by Arista Networks, Inc.. (Van Nest, Robert) (Filed on 2/7/2017) (Entered: 02/07/2017)
02/07/2017	767	REPLY (re 761 MOTION for Judgment as a Matter of Law <i>CISCOS RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW</i>) filed by Cisco Systems Inc. (Attachments: # 1 Declaration OF SARA E. JENKINS IN SUPPORT OF CISCO'S REPLY IN FURTHER SUPPORT OF ITS RULE 50(b) MOTION, # 2 Exhibit NN, # 3 Exhibit OO)(Sullivan, Kathleen) (Filed on 2/7/2017) (Entered: 02/07/2017)
02/17/2017	 768	Administrative Motion to File Under Seal <i>Portions of the Trial Transcript</i> filed by Cisco Systems Inc. (Attachments: # 1 Declaration of Sara E. Jenkins in Support of Cisco's Administrative Motion to Seal, # 2 Proposed Order, # 3 Exhibit A)(Sullivan, Kathleen) (Filed on 2/17/2017) (Entered: 02/17/2017)
02/21/2017	769	OPPOSITION/RESPONSE (re 768 Administrative Motion to File Under Seal <i>Portions of the Trial Transcript</i>) filed by Arista Networks, Inc.. (Attachments: # 1 Proposed Order)(Van Nest, Robert) (Filed on 2/21/2017) (Entered: 02/21/2017)
02/22/2017	770	CERTIFICATE OF SERVICE by Cisco Systems Inc re 768 Administrative Motion to File Under Seal <i>Portions of the Trial Transcript</i> (Jenkins, Sara) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/22/2017	771	ADMINISTRATIVE MOTION re 768 Administrative Motion to File Under Seal <i>Portions of the Trial Transcript Administrative Motion for Leave to File a Reply in Support of Cisco's Administrative Motion to Seal Portions of the Trial Transcript</i> filed by Cisco Systems Inc. Responses due by 2/27/2017. (Attachments: # 1 Exhibit 1, # 2 Declaration of Sara E. Jenkins in Support of Cisco's Administrative Motion to File a Reply in Support of Cisco's Administrative Motion to Seal Portions of the Trial Transcript, # 3 Proposed Order)(Sullivan, Kathleen) (Filed on 2/22/2017) (Entered: 02/22/2017)
02/24/2017	772	ORDER GRANTING 768 MOTION TO SEAL CERTAIN PORTIONS OF THE TRIAL TRANSCRIPTS AND TERMINATING 711 MOTION FOR LEAVE TO FILE A REPLY AS MOOT. Signed by Judge Beth Labson Freeman on 2/24/2017. (blfc4, COURT STAFF) (Filed on 2/24/2017) (Entered: 02/24/2017)

03/02/2017	 773	Redaction of 699 Transcript, 12/1/16 Trial Vol.6 (Related documents(s) 699) (Fisher, Summer) (Filed on 3/2/2017) (Entered: 03/02/2017)
03/02/2017	 774	Redaction of 705 Transcript, 12/5/16 Trial Vol.8 (Related documents(s) 705) (Fisher, Summer) (Filed on 3/2/2017) (Entered: 03/02/2017)
03/02/2017	 775	Redaction of 711 Transcript, 12/6/16 Trial Vol.9 (Related documents(s) 711) (Fisher, Summer) (Filed on 3/2/2017) (Entered: 03/02/2017)
03/02/2017	 776	Redaction of 722 Transcript, 12/7/16 Trial Vol.10 (Related documents(s) 722) (Fisher, Summer) (Filed on 3/2/2017) (Entered: 03/02/2017)
03/02/2017	 777	Redaction of 734 Transcript, 12/12/16 Trial Vol.13 (Related documents(s) 734) (Fisher, Summer) (Filed on 3/2/2017) (Entered: 03/02/2017)
03/06/2017	 778	Transcript of Proceedings held on March 2, 2017, before Judge Beth Labson Freeman. Court Reporter/Transcriber Joan Marie Columbini, CSR, telephone number joan.columbini.csr@gmail.com 510-367-3043. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re (105 in 5:16-cv-00923-BLF) Transcript Order, (103 in 5:16-cv-00923-BLF) Transcript Order,) Redaction Request due 3/27/2017. Redacted Transcript Deadline set for 4/6/2017. Release of Transcript Restriction set for 6/5/2017. (Columbini, Joan) (Filed on 3/6/2017) (Entered: 03/06/2017)
03/09/2017	779	Admitted Trial Exhibit Locator Form. (srnS, COURT STAFF) (Filed on 3/9/2017) (Entered: 03/09/2017)
03/28/2017	780	ORDER GRANTING 738 MOTION TO MAINTAIN UNDER SEAL PORTIONS OF PRETRIAL CONFERENCE TRANSCRIPT. Signed by Judge Beth Labson Freeman on 3/28/2017. (blf4S, COURT STAFF) (Filed on 3/28/2017) (Entered: 03/28/2017)
04/27/2017	781	***FILED IN ERROR - DISREGARD*** TRANSCRIPT ORDER before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Summer Fisher. (Pak, Sean) (Filed on 4/27/2017) Modified on 5/1/2017 (sp, COURT STAFF). (Entered: 04/27/2017)
04/27/2017	782	***FILED IN ERROR - DISREGARD*** TRANSCRIPT ORDER for proceedings held on 04/27/2017 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Summer Fisher. (Van Nest, Robert) (Filed on 4/27/2017) Modified on 5/1/2017 (sp, COURT STAFF). (Entered: 04/27/2017)
04/27/2017	783	Minute Entry for proceedings held before Hon. Beth Labson Freeman: Motion Hearing held on 4/27/2017 re 761 MOTION for Judgment as a Matter of Law <i>CISCOS RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW</i> filed by Cisco Systems Inc. The Court takes the matter under submission. Written Order to be issued. Total Time in Court: 1:27. Court Reporter Name: Lee-Anne Shortridge. Plaintiff Attorney: Sean Pak, Kathleen Sullivan. Defendant Attorney: Robert VanNest, Brian Ferrall, Ryan Wong, Elizabeth McCloskey. This is a text-only Minute Entry (tshS, COURT STAFF)(Date Filed: 4/27/2017) (Entered: 04/28/2017)
05/01/2017	784	TRANSCRIPT ORDER for proceedings held on 04/27/2017 before Hon. Beth Labson Freeman by Cisco Systems Inc, for Court Reporter Lee-Anne Shortridge. (Pak, Sean) (Filed on 5/1/2017) (Entered: 05/01/2017)
05/01/2017	785	TRANSCRIPT ORDER for proceedings held on 04/27/2017 before Hon. Beth Labson Freeman by Arista Networks, Inc., for Court Reporter Lee-Anne Shortridge. (Van Nest, Robert) (Filed on 5/1/2017) (Entered: 05/01/2017)
05/05/2017	 786	Transcript of Proceedings held on 4-27-17, before Judge Beth Labson Freeman. Court Reporter/Transcriber Lee-Anne Shortridge, telephone number 408-287-4580 email: lee-anne_shortridge@cand.uscourts.gov. Per General Order No. 59 and Judicial Conference policy, this transcript may be viewed only at the Clerk's Office public terminal or may be purchased through the Court Reporter/Transcriber until the deadline for the Release of Transcript Restriction. After that date it may be obtained through PACER. Any Notice of Intent to Request Redaction, if required, is due no later than 5 business days from date of this filing. (Re 784 Transcript Order) Release of Transcript

		Restriction set for 8/3/2017. (Related documents(s) 784) (las,) (Filed on 5/5/2017) (Entered: 05/05/2017)
05/05/2017		(Court only) TRANSCRIPT COPY DELIVERED re 785 Transcript Order (Related documents(s) 785) (las,) (Filed on 5/5/2017) (Entered: 05/05/2017)
05/10/2017	787	ORDER DENYING MOTIONS FOR JUDGMENT AS A MATTER OF LAW AND MOTION FOR A NEW TRIAL. Signed by Judge Beth Labson Freeman on 05/10/2017. (tshS, COURT STAFF) (Filed on 5/10/2017) Modified on 5/26/2017 (tshS, COURT STAFF) Document Unsealed. (Entered: 05/10/2017)
05/10/2017	788	ORDER RE ORDERS PROVISIONALLY UNDER SEAL. Signed by Judge Beth Labson Freeman on 5/10/2017. (blflc4S, COURT STAFF) (Filed on 5/10/2017) (Entered: 05/10/2017)
05/12/2017		(Court only) ***Motions terminated: 760 MOTION for Judgment as a Matter of Law <i>and Conditional Motion for New Trial (Fed. R. Civ. P. 50(b) and 59)</i> filed by Arista Networks, Inc., 761 MOTION for Judgment as a Matter of Law <i>CISCOS RULE 50(b) MOTION FOR JUDGMENT AS A MATTER OF LAW</i> filed by Cisco Systems Inc. (blflc4, COURT STAFF) (Filed on 5/12/2017) (Entered: 05/12/2017)
06/02/2017	789	NOTICE of Change of Address by Steven Carl Cherny (Cherny, Steven) (Filed on 6/2/2017) (Entered: 06/02/2017)
06/06/2017	790	NOTICE OF APPEAL to the Federal Circuit as to 787 Sealed Document, 750 Judgment by Cisco Systems Inc. Filing fee \$ 505, receipt number 0971-11450140. Appeal Record due by 7/6/2017. (Sullivan, Kathleen) (Filed on 6/6/2017) (Entered: 06/06/2017)
06/08/2017	791	Transmission of Notice of Appeal and Docket Sheet to the Federal Circuit Court of Appeals. Filing fee \$ 455. Appeal Record due by 7/10/2017. (sfbS, COURT STAFF) (Filed on 6/8/2017) (Entered: 06/08/2017)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CISCO SYSTEMS, INC.,
Plaintiff,

v.

ARISTA NETWORKS, INC.,
Defendant.

Case No. 14-cv-05344-BLF

**FINAL ORDER RE ANALYTIC
DISSECTION AND SCOPE OF
PROTECTION**

Plaintiff Cisco Systems, Inc. (“Cisco”) brings this lawsuit against Defendant Arista Networks, Inc. (“Arista”), alleging infringement of Cisco’s copyrights and one of its patents – U.S. Patent No. 7,047,526 (the “’526 patent”). Second Am. Compl. (“SAC”), ECF 64. Currently before the Court are the parties’ briefing and argument on the issue of analytic dissection. The parties have agreed that certain issues pertaining to analytic dissection can be resolved without an evidentiary hearing. ECF 605 (“Joint Submission re Analytic Dissection Categories Suitable for Decision Without Evidentiary Hearing”). The Court thus sets forth below its ruling on issues of analytic dissection for which an evidentiary hearing is not required.

I. BACKGROUND

For its copyright infringement claim, Cisco asserts that Arista infringes the user interfaces found in four Cisco operating systems as well as the associated technical documentations. SAC ¶ 27; Cisco Br. Re Copyrighted Work 2. Cisco owns twenty-six copyright registrations based on various versions of its four operating systems. SAC ¶ 25; Cisco’s Analytic Dissection Br. (“Cisco Br.”) 2-3, ECF 619. The operating systems were developed for use with Cisco’s networking

1 products, including its routers and switches. SAC ¶ 6; Submission of Protectable Elements (“PE”) 2, ECF 552; Cisco Br. 3.

3 Cisco’s operating systems employ text-based user interfaces (sometimes referred to by 4 Cisco as command line user interfaces or “CLI”), which is the primary mechanism for network 5 engineers to interact with switches and routers. Cisco Br. 3. When a network engineer or system 6 operator types multiword command expressions into the user interface, the expressions are then 7 displayed on a screen that is connected to the networking device. *Id.*; PE 2. Cisco claims that 8 more than 500 of such multiword command expressions across four operating systems are 9 protectable and copied by Arista. Cisco’s Opening Bench Br. Re: Copyright Protectability 10 (“Cisco Bench Br.”) 2-3, ECF 456. Examples of multiword command expressions include “boot 11 system,” “show inventory,” “area nssa translate type7 always,” and “spanning-tree portfast 12 bpdupfilter default.” PE 3-33. According to Cisco, these command expressions are also grouped 13 by initial words into collections to reflect multi-level textual hierarchies. *Id.* at 36; Cisco Bench 14 Br. 2. For illustration purposes, part of the “show” command hierarchy is shown below.

```
15 show
16     show arp
17     show clock
18     show environment
19         show environment all
20         show environment power
21         show environment temperature
```

22 Once the operator inputs a multiword command expression, the switch or router analyzes 23 the command and responds by displaying textual screen outputs on screen. Cisco Bench Br. 2. 24 Cisco refers to these textual displays in response to the operator’s input as command responses or 25 command outputs. PE 80. The Cisco CLI further provides a selection of modes that permit an 26 operator to access greater or fewer command expressions based on operator status. PE 34. For 27 example, an operator who has entered “Privilege EXEC” mode will have access to different 28 commands than a user who is in “User EXEC” mode. *Id.* Different modes are indicated by 29 different textual titles and different textual prompts that appear on the screen (e.g., “(config-if)#” 30 or “(config)#”). *Id.* These prompts are used to indicate to the operator which mode he or she is in, 31 and thus which commands the operator has access to. *Id.* Additionally, the Cisco CLI allows the

operator to ask for help in using the multiword command expressions by typing a command followed by “?”. Cisco Bench Br. 2. The screen will then display text that describes the command or any other information to assist the operator in managing or configuring the network device in relation to the inquired command. *Id.*; PE 98. Lastly, Cisco provides technical documentation that gives users descriptions of Cisco CLI’s operations, which is also commonly referred to as user manuals or reference manuals. PE 111.

Based on its CLI, Cisco has identified the following list of protectable elements for trial – (1) multiword command expressions; (2) multiword command hierarchies; (3) modes and prompts; (4) command responses; (5) help descriptions; and (6) technical documentation. PE; Cisco Br. 1. According to Cisco, elements (1) to (5) constitute a subset, or building blocks, that Cisco has selected out of the total user interfaces to reflect only the protectable elements copied by Arista. *Id.* at 3, 5, 19. Similarly, Cisco has identified allegedly protectable portions of its technical documentation that Arista copied as the sixth category of protectable elements. *Id.* at 1, 19.

Arista disagrees that these elements identified by Cisco are protectable and has provided argument directed to each of the six categories as to why the Court should find them unprotectable. Arista Analytic Dissection Br. (“Arista Br.”), ECF 618. Based on the parties’ arguments, the Court analyzes below each of the six categories of asserted protectable elements.

II. LEGAL STANDARD

A. Extrinsic and Intrinsic Tests

The Ninth Circuit employs a two-part test for determining whether one work is substantially similar to another in a copyright case. *Shaw v. Lindheim*, 919 F.2d 1353, 1356 (9th Cir. 1990). The test permits a finding of infringement only if a plaintiff proves similarity under the “extrinsic test,” and sufficient similarity, depending upon the degree of protection found by the court, of the protectable expression under the “intrinsic test.” *Id.* A copyright plaintiff could satisfy the extrinsic test by providing an “indicia of a sufficient disagreement concerning the substantial similarity of the two works.” *Swirsky v. Carey*, 376 F.3d 841, 846 (9th Cir. 2004) (internal brackets omitted). “[T]he intrinsic test, which examines an ordinary person’s subjective

impressions of the similarities between two works, is exclusively the province of the jury.” *Funky Films, Inc. v. Time Warner Entm’t Co., L.P.*, 462 F.3d 1072, 1077 (9th Cir. 2006). The measure of how substantial a “substantial similarity” must be varies according to the scope of protection. *Nimmer on Copyright* § 13.03[A][4] (2015). For example, if the scope of protection is determined to be “thin,” the standard of virtual identity is applied at the “intrinsic” stage. *Mattel, Inc. v. MGA Entm’t, Inc.*, 616 F.3d 904, 914 (9th Cir. 2010).

Turning to the extrinsic prong, the test for similarity is based on external criteria, where “analytic dissection and expert testimony could be used.” *Apple Computer, Inc. v. Microsoft Corp.*, 35 F.3d 1435, 1442 (9th Cir. 1994). The extrinsic test involves three basic steps:

1. The plaintiff must identify the source(s) of the alleged similarity between his work and the defendant’s work.
2. Using analytic dissection . . . , unprotectable ideas must be separated from potentially protectable expression; to that expression, the court must then apply the relevant limiting doctrines in the context of the particular medium involved, through the eyes of the ordinary consumer of that product.
3. Having dissected the alleged similarities and considered the range of possible expression, the court must define the scope of the plaintiff’s copyright—that is, decide whether the work is entitled to “broad” or “thin” protection. Depending on the degree of protection, the court must set the appropriate standard for a subjective comparison of the works to determine whether, as a whole, they are sufficiently similar to support a finding of illicit copying.

Id. at 1443.

B. Analytic Dissection

“[Copyright] protection extends not only to the ‘literal’ elements of computer software – the source code and object code – but also to a program’s nonliteral elements, including its structure, sequence, organization, user interface, screen displays, and menu structures.” *Gen. Universal Sys., Inc. v. Lee*, 379 F.3d 131, 142 (5th Cir. 2004); *O.P. Sols., Inc. v. Intellectual Prop. Network, Ltd.*, 1999 WL 47191, at *6 (S.D.N.Y.1999).

However, “[t]he mere fact that a work is copyrighted does not mean that every element of the work may be protected.” *Feist Publ’ns, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 348 (1991). “Because only those elements of a work that are protectable and used without the author’s

1 permission can be compared when it comes to the ultimate question of illicit copying, [courts use]
2 analytic dissection to determine the scope of copyright protection before works are considered ‘as
3 a whole.’” *Apple*, 35 F.3d at 1443. To conduct analytic dissection, courts must “filter out as
4 unprotectable the ideas, expression necessarily incident to the idea, expression already in the
5 public domain, expression dictated by external factors (like the computer’s mechanical
6 specifications, compatibility with other programs, and demands of the industry served by the
7 program), and expression not original to the programmer or author.” *Atari Games Corp. v.*
8 *Nintendo of Am., Inc.*, 975 F.2d 832, 839 (Fed. Cir. 1992); *Johnson Controls, Inc. v. Phoenix*
9 *Control Sys., Inc.*, 886 F.2d 1173, 1175 (9th Cir. 1989).

10 “Likewise, computer programs are subject to a[n] . . . analytic dissection of various
11 standard components, *e.g.*, screens, menus, and keystrokes.” *Brown Bag Software v. Symantec*
12 *Corp.*, 960 F.2d 1465, 1477 (9th Cir. 1992). Specifically for computer software, “if constituent
13 elements of a screen display or user interface lack requisite originality, or are outside the scope of
14 copyrightable material under 102(b), or are otherwise unprotectable, the selection, coordination,
15 and arrangement of such elements may be protectable, even though those individual elements are
16 not.” *O.P. Sols.*, 1999 WL 47191, at *9 (citing *Apple Computer, Inc. v. Microsoft Corp.*, 799 F.
17 Supp. 1006, 1022-23 (N.D. Cal. 1992)). However, this “combination of unprotectable elements is
18 eligible for copyright protection only if those elements are numerous enough and their selection
19 and arrangement original enough that their combination constitutes an original work of
20 authorship.” *Satava v. Lowry*, 323 F.3d 805, 811 (9th Cir.2003).

21 C. Abstraction-Filtration-Comparison Test

22 Relatedly, the Federal Circuit has interpreted Ninth Circuit’s test of copyright infringement
23 to be the same as the “abstraction-filtration-comparison” test formulated by the Second Circuit.
24 *Oracle Am., Inc. v. Google Inc.*, 750 F.3d 1339, 1357 (Fed. Cir. 2014). The “abstraction” step
25 involves breaking down the allegedly infringed program into its constituent structural parts, and
26 during the “filtration” step, the court “sift[s] out all nonprotectable material.” *Id.* Lastly, for the
27 comparison step, the remaining creative expression is compared with the allegedly infringing
28 work. *Id.* Accordingly, the “filtration” step is similar, if not the same, as the analytic dissection

step set forth by the Ninth Circuit and discussed above.

The Federal Circuit also held that in the Ninth Circuit, limiting doctrines such as merger and scènes à faire are affirmative defenses to claims of infringement. *Id.* at 1358. In drawing this conclusion, the Federal Circuit relied upon the Ninth Circuit’s discussion in *Ets-Hokin v. Skyy Spirits, Inc.*, 323 F.3d 763, 765 (9th Cir. 2003) and *Satava v. Lowry*, 323 F.3d 805, 810 n.3 (9th Cir.2003) (“The Ninth Circuit treats scènes à faire as a defense to infringement rather than as a barrier to copyrightability.”). Here, Arista asserts both the merger and scènes à faire doctrines. The parties agree, however, that the jury will apply these two limiting doctrines so the Court need not address these two issues in this order. Cisco Br. 8-9; Arista Reply 2, ECF 651 (stating that scènes à faire is to be presented at trial); Arista Br. Re Analytic Dissection 3-4, ECF 455 (noting that the Ninth Circuit applies these doctrines at the analytic dissection stage).

III. ANALYTIC DISSECTION

As the first step of the extrinsic test, Cisco has identified the protectable elements in six categories or “building blocks” as the sources of copyright infringement. *Apple*, 35 F.3d at 1443. Cisco seeks protection for each of its building blocks in its own right, or as a combination of these elements, as a compilation. Cisco Br. 7, 19. According to Cisco, it has pre-filtered its user interfaces to select only those elements that are protectable and copied by Arista. Cisco Br. 1. As such, Cisco argues that all these elements should be presented to the jury as evidence of copying. *Id.* at 4-5. Not surprisingly, Arista disagrees. The Court undertakes its own review of the asserted elements in each category.

For each category of protectable elements, Arista raises several arguments as to why the selected elements are not protectable. The analysis below tracks each ground raised by Arista and the parties’ respective arguments.

A. Multiword Command Line Expressions

Cisco properly describes its CLI user interface as a textual work. That being said, it is important to recognize that the multiword command expressions of the Cisco CLI are not sentences or commonly used phrases as would be found in books or other literary works. They are more properly described as groupings of two, three, or four terms, many of which are not words,

1 but are terms and abbreviations recognizable to the networking industry. Arista Br., Ex. 20 (Black
2 Rpt.) ¶ 649; Ex. 1 (Black Am. App. K); PE 3-33. Use of these command expressions allows
3 network operators to communicate through their computers to obtain information about the
4 switches and routers and to configure them.

5 Cisco contends that these submitted multiword command expressions are protectable
6 elements of Cisco's user interface not only as individual command expressions but also as
7 collections of multiword command expressions associated with specific operating systems,
8 identified as IOS, IOS-XR, IOS-XE, and NX-OS. PE 2, ECF 552-1. It also clarifies that it does
9 not seek to have a jury consider the following elements as protectable: single words, command
10 prefixes that the user interface autocompletes, minimum syntactic length, and idea of using a
11 syntax. Cisco Br. 1, 7, 8, 11.

12 **i. Pre-existing industry terminology**

13 In support of its argument that the expressions are protectable, Cisco contends that they
14 originated from Cisco's engineers and meet the required minimal degree of creativity. *Id.* at 6.
15 Cisco also claims that Arista's own executives and engineers have conceded the "subjective"
16 nature of the process in creating these commands. *Id.*

17 Arista argues that almost all the terms in the expressions are well-known and ordinary in
18 the field of networking. Arista Br. 2-3. For example, Arista claims that the terms are
19 conventional terms or acronyms that come directly from industry standards, including the Internet
20 Engineering Task Force ("IETF") and The Institute of Electrical and Electronics Engineers
21 ("IEEE"). *Id.* at 3, Ex. 1 (Black Am. App. K); Arista Reply 3. According to Arista, Cisco's own
22 documents and witnesses confirm that Cisco intentionally used well-known terminology in the
23 command expressions. Arista Br. 4. Arista also seeks a jury instruction that the use of the pre-
24 existing terminology, such as "area" and "nssa," by itself, is not protectable. Arista Reply 3.

25 The Court first notes that it is undisputed that many of the terms used in Cisco's multiword
26 command expressions were commonly known in the industry at the time Cisco created its asserted
27 work, for which no originality can be claimed. For example, the acronym "aaa," a term in several
28 of Cisco's command expressions, comes from the phrase "authentication, authorization, and

accounting,” and was first used as a discrete term as early as 1983 in an IEEE paper. Arista Br., Ex. 4 ¶¶ 2-4 (Black App. A). Since Cisco was founded in 1984, SAC ¶ 1, the existence of “aaa” in 1983 must predate any creation of the works asserted here. Terms such as “aggregate-address” were also common industry terms at the time the command expressions were added to the Cisco operating systems. Arista Br., Ex. 3 (Tr. Ex. 9043). Other acronyms and terms such as “accounting,” “nssa,” and “dot1x” are industry standard terms that have been defined by IETF or IEEE. *Id.*, Ex. 2 (Tr. Ex. 9044); Ex. 5 ¶¶ 2-3 (Black App. B) (explaining that “IEEE Standard 802.1X” is an IEEE standard for port-based network access control that is also referred to as “dot1x”).

Given Arista’s un rebutted evidence, the Court finds persuasive that the individual terms and abbreviations in command expressions are predominantly taken from terms in common use in the networking industry predating Cisco’s CLI. *E.g.*, Arista Br., Ex. 1 (Black Am. App. K). Cisco, by not seeking protection for individual terms, acknowledges this conclusion. Cisco Br. 7. However, the selection and arrangement of these commands into a collection may be entitled to protection as a compilation. The multiword command expressions are numerous and Cisco has submitted significant evidence of the process it used to create those command line expressions through the testimony of multiple witnesses including Kirk Lougheed, Phillip Remaker, and Davadas Patil. *E.g.*, Cisco Br. Ex. 7 (“Lougheed Dep. Tr.”) 338:24-339:9 (“Writing any piece of software involves some degree of creativity”); Arista Br., Ex. 16 (“Remaker Dep. Tr.”) 98:22-99:12 (“The hierarchy is the aesthetic of collecting similar commands together”); Cisco Br., Ex. 10 (“Patil Dep. Tr.”) 187:1-9 (considering extensibility and aesthetics). Moreover, Arista witnesses agreed that such selection and arrangement is a subjective determination. *E.g.*, *id.*, Ex. 11 (“Sweeney Dep. Tr.”) 184:7-14, 185:2-12 (“I agree that CLI naming is very subjective”). Cisco need only produce some minimal level creativity. *Feist*, 499 U.S. at 348; *O.P. Sols.*, 1999 WL 47191, at *9; *Satava*, 323 F.3d at 811.

Given that Cisco is not asserting isolated words as protectable elements, the next question for analytic dissection is whether there are lines of expressions or groups of expressions to be filtered out. However, evidence available to the Court at this juncture fails to show that one or

1 more command line expressions preexisted as industry expressions. As such, the Court does not
2 dissect out any multiword command line expression based on this ground.

3 **ii. Elements dictated by external constraints**

4 As to whether the expressions are “dictated by external constraints,” Cisco contends that
5 Arista’s arguments and evidence relate to Arista’s *scènes à faire* affirmative defense, which is a
6 defense to infringement and beyond the scope of analytic dissection. Cisco Br. 8-9 (citing to
7 *Oracle*, 750 F.3d at 1360). As stated above, the Court agrees with Cisco’s position and will
8 follow the Federal Circuit’s summary and application of Ninth Circuit law. *Oracle*, 750 F.3d at
9 1358 (citing *Ets-Hokin*, 323 F.3d at 765; *Satava*, 323 F.3d at 810 n.3). Thus, the Court will not
10 consider this issue here.

11 **iii. Unprotectable words and short phrases**

12 Cisco contends that short phrases can be protectable regardless of how short the phrase
13 may be so long as they contain some appreciable level of creativity. Cisco Br. 10. Cisco reiterates
14 that its multiword command expressions are original and derived from a creative process. *Id.* For
15 example, Cisco argues that the selection of “show” is original because words such as “‘display,’
16 ‘print,’ ‘watch,’ ‘view,’ or ‘info’ are equally sufficient ways to express this idea.” Almeroth Ex. A
17 (“Almeroth Rpt.”) ¶ 111.¹ Insofar as Cisco has acknowledged that the individual terms are not
18 subject to protection in this case, this argument is not persuasive. Cisco further argues that the
19 arrangement of terms allowed for creation of hierarchies that are “aesthetically pleasing,” “easy to
20 understand,” and easy to teach, and are thus creative. *Id.* ¶¶ 114-15.

21
22 ¹ Cisco’s example of selection of the “show” command perhaps best reveals the limitations of its
23 argument. Although the variety of terms that could have substituted for “show” superficially
24 appear to be reasonable alternatives, Dr. Almeroth’s example presumes that the engineers worked
25 in a bubble, ignoring the pre-existing industry preference and use of the “show” command. It is
26 not plausible that engineers would abandon the accepted terminology for a novel term. It even
27 stretches credulity to imagine engineers even entertaining any of the suggested alternative terms.
28 *E.g.*, Arista Br., Ex. 16 (“Remaker Dep. Tr.”) 69:7-70:13 (stating that “picking command words
that would be familiar to people in the industry” ensures “consistency, usability, and friendliness
of the interface” and agreeing that customers “would expect CLI commands to use words that
would be familiar to people in the industry”); *id.*, Ex. 20 (“Black Rpt.”) ¶¶ 603-04 (noting that the
Cisco Parser Police Manifesto placed constraints on the addition of commands to Cisco CLI, such
as “pick[ing] names that would be familiar to people in the industry” and “commands should tend
to be self-explanatory”).

1 Arista counters that commands of four words or fewer are unprotectable. Arista Br. 5.
2 Arista points out that 188 commands are only two words, 208 are three words, and 420 are three
3 words or fewer. *Id.* at 6. Arista further argues that such short phrases are either primarily factual
4 or “ordinary,” and thus cannot be protected. *Id.* (citing *Narell v. Freeman*, 872 F.2d 907, 911 (9th
5 Cir. 1989)).

6 The relevant question is whether those phrases are creative regardless of their length. Even
7 a short phrase may command copyright protection if it exhibits sufficient creativity. *Oracle Am.*,
8 750 F.3d at 1362. “The particular sequence in which an author strings a significant number of
9 unprotectable elements can itself be a protectable element.” *Metcalf v. Bochco*, 294 F.3d 1069,
10 1074 (9th Cir. 2002). However, ordinary phrases are not entitled to copyright protection. *Narell*,
11 872 F.2d at 911; *J. Racenstein & Co. v. Wallace*, No. 96-9222, 1999 WL 632853, at *2 (S.D.N.Y.
12 Aug. 19, 1999) (holding that “safety core” is not protectable because “it is at most an insubstantial
13 rearrangement of only two words borrowed from other sources”).

14 As noted above, the Court will instruct the jury that there is no copyright protection for
15 individual words. With respect to individual 500+ command line expressions, however, the Court
16 finds no authority, and Arista has provided none, that endorses a categorical exclusion from
17 protectability based solely on the length of a phrase. Arista’s expert argues that for phrases as
18 short as four terms or less, “there are very few available reasonable options for such short
19 phrases.” Arista Br., Ex. 20 (Black Rpt.) ¶ 649. Although the Court does not disagree that if there
20 are no available reasonable options, the phrase would not be protectable because of external
21 constraints, not because of its length. *Apple*, 35 F.3d at 1444 (considering external constraints).
22 Accordingly, the Court does not dissect out individual command line expressions based solely on
23 the length of the phrases.

24 **iv. Conventional command syntax**

25 Arista argues that Cisco’s command expressions rely extensively on a first word that is
26 preexisting in the industry followed by relevant attributes, resulting in commands sharing the
27 syntax – “[verb] [object or entity] [additional parameters].” Arista Br. 7-8. In response, Cisco
28 asserts that it does not claim protection in command syntax. Cisco Br. 11; Cisco Resp. 6.

1 Because Cisco does not claim protection in command syntax, the Court will instruct the jury that
2 there is no protection for syntax, obviating the need for analytic dissection on this ground.

3 **v. “Commands” that are not accepted by any Cisco or Arista switch;**
4 **commands not grounded in Cisco’s actual works or that Cisco did not**
5 **disclose in discovery**

6 Cisco argues that its command expressions are not incomplete as alleged by Arista. Cisco
7 Br. 11-12. Instead, Cisco claims that even though certain commands may accept additional user-
8 provided inputs or parameters, such conditions do not affect their protectability. *Id.* at 12; Cisco
9 Response 10, ECF 653 (citing *Apple*, 35 F.3d at 1444 (noting that “user participation may not
10 negate copyrightability of an audiovisual work” in a *scènes à faire* analysis); *Eng’g Dynamics, Inc.*
11 *v. Structural Software, Inc.*, 26 F.3d 1335, 1342 (5th Cir. 1994)).

12 In response, Arista argues that these commands as arranged and compiled by Cisco did
13 not exist before this litigation and also in total comprise a small fraction of the total commands in
14 the relevant work. Arista Br. 8-9.

15 Arista has not provided any authority holding that omission of additional parameters alone
16 would render these expressions unprotectable. The Court notes that Cisco, as plaintiff, is free to
17 select the purported protectable elements copied by Arista as the first step of the extrinsic test prior
18 to the Court’s analytic dissection. This selection itself does not bear on protectability. As to
19 whether the asserted command expressions comprise a small fraction of the total commands, the
20 Court finds this point raised by Arista more salient to the definition of the asserted work, which
21 the Court will address separately.

22 **vi. Conclusion regarding multiword command line expressions**

23 Having considered the remaining protectable elements of the multiword command line
24 expressions, the Court concludes that at most this building block is protectable as a compilation.
25 As Cisco argues, the creativity is found in the selection and arrangement of the command line
26 expressions. Further, no single command stands alone as a creative work because each one is
27 compiled as a part of a larger design based on a hierarchical structure. Each line is interrelated to
28 all of the others for consistency. *E.g.*, Arista Ex. 16 (“Remaker Dep. Tr.”) 69:7-70:13 (stating that
“picking command words that would be familiar to people in the industry” ensures “consistency,

usability, and friendliness of the interface”), 54:1-2 (“The hierarchy is the aesthetic of collecting similar commands together”); Ex. 30 (“Lougheed Dep. Tr.”) 318:4-9 (stating that the symmetry of the hierarchy affects the selection of words); Ex. 42 (“Lougheed Dep. Tr.”) 155:12-21 (discussing the choice of words in the creation of hierarchy), 156:14-18 (aiming for a set of commands to create a hierarchy).

B. Command Hierarchies

Cisco argues that the command hierarchies are part of the user interfaces, and contends that Arista’s objection is not relevant to filtration. Cisco Br. 14. Arista counters that the asserted hierarchies are drawn from multiple versions of the operating systems and are incomplete selections of the actual hierarchies in Cisco’s works. Arista Br. 9-10; Arista Reply 8-9. Arista thus seeks a finding that the hierarchies selected by Cisco are unprotectable. Arista Br. 10. Arista separately objects to the protectability of the hierarchies grouped by initial words and dictated by function. Arista Br. 10-11.

At oral argument, the parties discussed with the Court the relationship between the hierarchies and the individual command line expressions. After its presentation, Cisco agreed to withdraw from trial command hierarchies as a protectable building block of its user interfaces, separate from its command line expressions. However, Cisco still plans to present evidence showing that the process used to create the command line expressions was related to each command expression’s organization in the hierarchies. Arista did not object to Cisco’s removal of hierarchies as a separately protectable building block and Cisco’s plan to present such evidence in support of its multiword command expressions as protectable elements. Based on this agreement, the jury will be instructed that the hierarchies are not protectable elements.

C. Command Modes and Prompts

i. The names of particular modes and prompts

Cisco claims protection not in individual modes and prompts in isolation, but rather the particular arrangement of modes and prompts in Cisco’s user interface, which are components of Cisco’s distinctive user interface. PE 34; Cisco Br. 15. Arista points to this concession and

1 requests a related jury instruction. Arista Br. 11. The Court will allow an appropriate jury
2 instruction to this effect.

3 **ii. Not grounded in an actual work or that Cisco did not disclose in discovery**

4 Cisco reiterates the argument that whether its asserted modes and prompts comprise a
5 small set of Cisco or Arista's overall modes and prompts does not bear on analytic dissection.
6 Cisco Br. 15. Arista claims that Cisco's "arrangement" is only a small portion of the modes in
7 Cisco's operating systems. Arista Br. 11 (claiming that there are more than 70 modes and prompts
8 not asserted in a version of a Cisco operating system), Ex. 28 (Cisco User Manual). The Court
9 agrees with Cisco on this point, finding that Arista's argument is more pertinent to the jury's
10 comparison of the works.

11 **iii. Idea of making certain commands available only in certain modes**

12 Cisco argues that its engineers chose the modes' indicators, prompts, and levels of
13 permission from "a number of possibilities" "on the basis of aesthetics." Cisco Br. 15. Cisco
14 attempts to distinguish pre-existing modes and prompts from its own modes and prompts by
15 arguing that the pre-existing systems provided the idea of the modes and prompts but not the
16 particular modes and prompts at issue here. *Id.* at 15-16. In response, Arista provides evidence to
17 show that Cisco's selection of modes is not original. Arista Br. 11. Arista's expert claims that
18 Cisco's modes and prompts are essentially methods that had previously existed in another system
19 called TOPS-20 that has been in use since 1970s. Arista Ex. 20, (Black Rpt.) ¶¶ 548 et seq. Other
20 systems, such as UNIX (*id.* ¶ 554), SUMEX (*id.* ¶¶ 554, 580), and MS-DOS (*id.* ¶ 573) also had
21 employed the same methods. *Id.*, Ex. 20.

22 At oral argument, Cisco clarified to the Court the "particular" modes and prompts it is
23 asserting. Cisco explained that in most of its operating systems, its asserted modes and prompts
24 encompass the four levels of modes: "User EXEC," "Privileged EXEC," "Global Configuration,"
25 and "Interface Configuration", and their corresponding prompts: ">," "#," "(config)#," and
26 "(config-if)#," as well as the relationship of the four modes with respect to their accessibility. PE
27 34-35. According to Cisco, one needs to access "User EXEC" before accessing "Privileged
28 EXEC," and can only access "Global Configuration" after enabling "Privileged EXEC," etc.

1 First, had Cisco failed to limit its asserted modes and prompts as described above, Cisco's
2 expression of modes and prompts might be so closely tied to the idea of modes and prompts, to
3 "be termed ideas beyond the ownership." *Apple*, 799 F. Supp. at 1023; *Sid & Marty Krofft*
4 *Television Prods., Inc. v. McDonald's Corp.*, 562 F.2d 1157, 1168 (9th Cir. 1977) (noting that
5 "[t]he idea and the expression will coincide when the expression provides nothing new or
6 additional over the idea"). Given Cisco's precise description of its asserted modes and prompts,
7 the Court is persuaded that this particular description differs from the "idea" or "function" of
8 modes of prompts to qualify as an expression.

9 Second, although it seems clear that virtually all of the individual elements of the asserted
10 modes and prompts existed prior to Cisco's creation, the selection and arrangement of the
11 identified modes and prompts can be claimed as original. *E.g.*, *Arista Br.*, Ex. 20 (Black Rpt.) ¶
12 554 (stating that UNIX had a "root user" account and a "superuser" account, as well as the "#"
13 prompt); Ex. 20 ¶ 573 (stating that MS-DOS had a user prompt ">"); Ex. 20 ¶ 580 (stating that
14 SUMEX had prompts such as "#" and ">").

15 Cisco is not asserting protection for individual modes and prompts on their own but
16 protection for the entire compilation of these modes and prompts. Accordingly, the Court agrees
17 that the compilation of asserted modes and prompts in each asserted operating system is
18 protectable.

19 **D. Command Responses and Screen Displays (Responses and Screen Outputs)**

20 Cisco contends that the following command responses (also referred to as command
21 outputs) are protectable elements of Cisco's user interface both individually and as a collection of
22 outputs associated with specific operating systems, identified as IOS and NX-OS. PE 80. Cisco
23 also claims protectability of element encircled in each red box. *E.g.*, *id.* at 80, 84. In support of
24 protection, Cisco argues that Cisco engineers were faced with "endless aesthetic choices for each
25 of the numerous screen outputs." Cisco Br. 16. Arista raises the same objections to this category
26 of protectable elements as those to "multiword command line expressions." Arista Br. 12.

27 The Court's analysis for this category remains the same as that for "multiword command
28 line expressions" above. In sum, there is no protection for single words, command prefixes that

the user interface autocompletes, minimum syntactic length, and the idea of using command syntax. The Court does not dissect out additional unprotectable elements based on the written record and finds that the command responses are protectable as a compilation corresponding to each operating system.

E. Helpdesc Command Responses (Help Descriptions)

Cisco contends that the following multiword help descriptions (also known as help strings, help text, or helpdesc) are protectable elements of Cisco's user interface both individually and as collections of help descriptions associated with specific operating systems, identified as IOS and IOS-XR. PE 97. It also clarifies that it is not seeking to protect the "idea" of help description in a user interface or the use of "?" to call up help descriptions. Cisco Br. 1. Arista argues that the help descriptions are not protectable for the same reasons as those it makes against the protectability of "multiword command line expressions." Arista Br. 12-13. Reasons include short words and phrases, lack of disclosure during discovery, and the concept of providing a help system. *Id.* at 13.

As noted above, a short phrase may be protectable if it exhibits sufficient creativity but ordinary phrases, such as "most personal sort of deodorant," are not protectable. *Oracle Am.*, 750 F.3d at 1362; *Narell*, 872 F.2d at 911 (holding that "[p]hrases and expressions conveying an idea typically expressed in a limited number of stereotyped fashions are not subject to copyright protection"). Here, the help descriptions consist of phrases such as "32-bit tag value," "authentication parameters for the user," "delete a file," "Directory or file name," "File to be deleted," "File to display," "Name of the group," "Name of the user," "Rename a file," "Show summary information," "Source file path," "Verify a file," etc. To qualify for protection on its own, the phrase must exhibit a sufficient degree of creativity to distinguish it from "ordinary phrases." These and other individual help descriptions appear to be not only ordinary to networking engineers, but also to a lay person. Moreover, they refer to mostly factual or functional events pertaining to network switches and routers. *Sega Enters. Ltd. v. Accolade, Inc.*, 977 F.2d 1510, 1524 (9th Cir. 1992) ("To the extent that a work is functional or factual, it may be copied, . . . as may those expressive elements of the work that 'must necessarily be used as

1 incident to' expression of the underlying ideas, functional concepts, or facts") (internal citation
2 omitted). In an attempt to support the existence of sufficient creativity, Cisco argues, for example,
3 that the word "display" could be used instead of "show." Almeroth Rpt. ¶ 111.² However, such
4 selection of words merely demonstrates that the phrases can be expressed in "a limited number of
5 stereotyped fashions," and cannot meet the minimum threshold of creativity in this case. *Narell*,
6 872 F.2d at 911. Accordingly, the Court finds that the individual help descriptions are not
7 protectable.

8 Nevertheless, the Court finds protectable the collection of help descriptions associated with
9 each of the operating systems, IOS and IOS-XR. This is because the combination of unprotectable
10 elements is still eligible for copyright protection given that the help descriptions as a collection
11 "are numerous enough and selection and arrangement original enough that their combination
12 constitutes an original work of authorship." *Satava*, 323 F.3d at 811.

13 **F. User Guides and Manuals (Technical Documents)**

14 Cisco provides excerpts from Cisco's technical documents (also referred to as user
15 manuals, user guides, reference manuals, etc.) as protectable elements of Cisco's copyrighted
16 works. PE 111. Cisco has encircled text with red boxes, each designating a purportedly
17 protectable element. *Id.* Arista claims that Cisco has asserted infringement of more than 30
18 separate Cisco manuals. Arista Br. 14-15. Arista further argues that these elements are not
19 protectable for the same reason as other categories of elements discussed above. *Id.* at 15.

20 The Court finds that each of these user guides and manuals are liken to a book, "a classic
21 subject of copyright protection." *Bikram's Yoga Coll. of India, L.P. v. Evolution Yoga, LLC*, 803
22 F.3d 1032, 1037 (9th Cir. 2015) (citing *Baker v. Selden*, 101 U.S. 99, 101-02, (1879)). Although
23 copyright protection of a book does not extend to its subject matter, such as a sequence of poses or
24 a system of book-keeping, the expression in describing the subject matter is entitled to copyright
25 protection. *Bikram*, 803 F.3d at 1037, 1042.

26 In sum, to the extent that the unprotectable elements described above appear in these

27
28 ² As the Court discussed in footnote 1, *supra*, alternative selections to "show" are particularly unpersuasive.

1 manuals, they are not protectable. Cisco is entitled to protection only for the creative aspects of
2 the manuals, and each user manual as a whole.

3 4 **IV. SCOPE OF COPYRIGHT PROTECTION**

5 As a final step of the extrinsic test after analytic dissection, the court determines the scope
6 of copyright protection. *Apple*, 35 F.3d at 1443. “Broader protection” is generally accorded to
7 artistic works and other analogous works because of the “endless variations of expression” that are
8 available in such works; in those cases, the appropriate standard under the intrinsic analysis is
9 substantially similar copying. *Id.* at 1446-47. However, if the range of possible expression is
10 narrow, then the works are afforded only limited or thin protection and the appropriate standard
11 under the intrinsic analysis is virtual identity. *Id.* at 1439; *Harper House, Inc. v. Thomas Nelson,*
12 *Inc.*, 889 F.2d 197, 205 (9th Cir. 1989); *Mattel*, 616 F.3d at 914 (“If there’s only a narrow range of
13 expression (for example, there are only so many ways to paint a red bouncy ball on blank canvas),
14 then copyright protection is ‘thin’ and a work must be ‘virtually identical’ to infringe”).

15 The scope of protection thus correlates with the amount of original contribution relative to
16 what has previously existed. *Satava*, 323 F.3d at 812. Compilations that consist largely of
17 uncopyrightable elements receive only limited protection. *Harper House*, 889 F.2d at 205. To the
18 extent that a work is functional or factual, such as accounting books or compilations of facts, the
19 scope of protection is also thin. *Sega Enters. Ltd. v. Accolade, Inc.*, 977 F.2d 1510, 1524 (9th Cir.
20 1992) (citing *Baker v. Selden*, 101 U.S. 99, 101-02 (1879); *Feist*, 499 U.S. at 349). However, if
21 the work is artistic, such as a decorative plate, it receives broader protection because of endless
22 variations of expression available to the artist. *McCulloch v. Albert E. Price, Inc.*, 823 F.2d 316,
23 321 (9th Cir. 1987). “Which end of the continuum a particular work falls on is a call that must be
24 made case by case.” *Apple*, 35 F.3d at 1447.

25 **A. Scope of Protection of Cisco’s User Interfaces**

26 As set forth above in the discussion on analytic dissection, the Court has found each of the
27 following building blocks protectable as a compilation: (1) multiword command expressions; (2)
28 modes and prompts; (3) command responses; and (4) help descriptions. Because each of these

1 building blocks is protectable as a compilation, the Court also finds that each of Cisco's user
2 interfaces as a whole, is subject to protection as a compilation of those building blocks. *Metcalf*,
3 294 F.3d at 1074 (holding that "[t]he particular sequence in which an author strings a significant
4 number of unprotectable elements can itself be a protectable element").

5 Having found that Cisco's user interfaces, as a whole, and its four building blocks are
6 protectable, the Court must consider the nature of the elements that comprise the compilations.
7 Notably, none of the individual terms or abbreviations found in the multiword command
8 expressions is protectable. As discussed above, it is the selection and arrangement of the
9 command line expressions into a collection that is protectable. Similarly, the command responses
10 are protectable only for their selection and arrangement in a collection. As to help descriptions,
11 the Court has limited their protectability, finding those short phrases to be ordinary. *E.g.*, *Satava*,
12 323 F.3d at 812 (noting that protection should cover "no more than the original contribution to
13 ideas already in the public domain"). Further, the modes and prompts are comprised of existing
14 modes and prompts with the exception of "Global Configuration" and "Interface Configuration,"
15 and protectability was sought by Cisco and allowed only as to the precise selection and order of
16 the asserted modes and prompts. *Apple*, 35 F.3d at 1439 (holding that "[w]hen the range of
17 protectable [] expression is narrow," scope of protection is thin). On these bases and reasons
18 discussed above for analytic dissection, the Court finds that these compilations are comprised
19 largely of unprotectable elements and thus subject to thin protection. *E.g.*, *Eng 'g Dynamics, Inc.*
20 *v. Structural Software, Inc.*, 26 F.3d 1335, 1348 (5th Cir. 1994) (holding that computer user
21 interfaces, including the output formats, are "highly functional, or . . . to the extent that they
22 contain highly standardized technical information" deserve thin protection); *Harper House*, 889
23 F.2d at 205 (noting that compilations that consist largely of uncopyrightable elements receive only
24 limited protection).

25 Because these building blocks of Cisco's user interfaces deserve only "thin" protection, the
26 combinations of all of them in the user interfaces themselves are also subject to "thin" protection.
27 *E.g.*, *Feist*, 449 U.S. at 348 (holding that protection of factual compilations is thin and it is limited
28 to just "those components of a work that are original to the author"). The fact that the work as a

1 whole may be composed of a few individual protectable elements does not imply that the
2 substantial similarity standard applies to the work as a whole. *Apple Computer, Inc. v. Microsoft*
3 *Corp.*, No. 88-20149, 1993 WL 207982, at *2 (N.D. Cal. Apr. 14, 1993). Although Cisco argues
4 that the range of expression is wide as there are many ways to create a user interface, it overlooks
5 the evidence discussed herein, showing that there are many unprotectable aspects of its user
6 interfaces, the limitations at the time of creation, and the fact that the idea of using a text-based
7 user interface is not protectable. Cisco Br. 20. The Court also finds no persuasive evidence that
8 the combination of the four building blocks alone constitutes a level of creative contribution that
9 warrants broad protection.

10 Because each of the building blocks is a mere compilation comprised of a significant
11 portion of unprotectable elements, without more, the Court does not find that the scope of
12 protection for Cisco's user interfaces rises to a level of broad protection.

13 **B. Scope of Protection of User Manuals**

14 Based on Cisco's submission, the Court observes that the user manuals consist of phrases
15 or sentences relating to definitions and descriptions of how the routers and switches work and
16 contain some tables and formatting to present the information. As an example, one item identified
17 by Cisco as protectable is "Displays the IP address of the host for which notification is generated."
18 PE 114. Each manual is thus a compilation of definitions of commands and functional
19 descriptions of the network devices, not unlike a factual compilation described in *Feist*, whose
20 author "chooses which facts to include, in what order to place them, and how to arrange the
21 collected data so that they may be used effectively by readers." 499 U.S. at 348. Such
22 compilation is only entitled to thin protection. *Id.* at 349 (holding that "copyright in a factual
23 compilation is thin"); *Honeywell Int'l, Inc. v. W. Support Grp., Inc.*, 947 F. Supp. 2d 1077, 1084
24 (D. Ariz. 2013) (finding thin protection for maintenance manuals).

25 **C. Standard under the Intrinsic Test**

26 Given the finding of "thin" protection for Cisco's asserted works, the appropriate standard
27 under the intrinsic analysis is for the trier of fact to compare the works for virtually identical
28 copying. *Apple*, 35 F.3d at 1439. Infringement will be found only if the protectable elements

differ from one another by no more than a trivial degree. *O.P. Sols.*, 1999 WL 47191, at *14.


V. ORDER

Based on the conclusions reached herein, the Court will instruct the jury that the following aspects of the asserted elements are not protectable.

1. Individual words used in any of the asserted elements.
2. Individual multiword command line expressions.
3. The idea or method of grouping or clustering commands under common initial words, such as “show” or “ip.”
4. Multiword command hierarchies.
5. Specific modes and specific prompts.
6. The idea of a set pathway through a series of modes.
7. The idea of making certain commands available only in certain modes.
8. Use of command syntax such as “[verb] [object] [parameters].”
9. The choice of using a text-based user interface.
10. The idea of using multiword command expressions to manage or configure a device.
11. The function of any asserted feature.
12. The use of “?” to call up help descriptions.
13. Individual help description phrases.
14. Command prefixes that the user interface auto-completes.
15. Tab completions.

IT IS SO ORDERED.

Dated: December 9, 2016


BETH LABSON FREEMAN
United States District Judge

1 *Third*, no reasonable jury could find on this record that Cisco’s works did not use at least some
2 minimal creativity. Arista’s own witnesses admitted that the creation of expressions in text-based user
3 interfaces is subjective, based on aesthetic preferences, and arbitrary. *See, e.g.*, Tr. 1015:3-11 (Dale).
4 Further, Arista’s evidence confirms that Cisco had multiple ways to communicate its expressions, not
5 only in the selection of words, but also in the sequencing and organization of words to each other, as
6 well as entire expressions to each other. *E.g.*, Tr. 1013:22-1014:13 (Dale). Third parties, who were
7 aware of the contents of Cisco’s user interface, agreed that they were able to create competing
8 products without wholesale copying of Cisco’s expressions—indeed, they actively (and successfully)
9 avoided copying Cisco’s protectable expressions. *E.g.*, Tr. 2060:5-2061:3 (Shafer); Tr. 2077:21-
10 2078:11 (Shafer). This is confirmed by Cisco’s uncontroverted testimony describing its engineers’
11 own subjective, aesthetic decisions in creating the expressions at issue. *E.g.*, Tr. 652:19-653:7
12 (Remaker). And while Arista’s witnesses attempted to categorize Cisco’s expressions as functional,
13 they were not able to dispute that different options were available to Cisco in how to express those
14 functional goals. *E.g.*, Tr. 800:19-23 (Duda).

15 **3. Arista Copied Original, Protected Expression From Cisco’s User**
16 **Interfaces**

17 No reasonable jury could disagree that Arista copied original, protectable expression from
18 Cisco’s copyrighted works. As the Court is aware, there are two alternative ways to establish copying:
19 (1) direct evidence; and (2) indirect evidence, which is established through a combination of access
20 and substantial similarity or virtual identity between the defendant’s work and the original element’s
21 of the plaintiff’s work. Jury Inst. 36. Where direct evidence establishes copying, the jury need not
22 even consider indirect evidence of copying. *VMG Salsoul*, 824 F.3d at 877; *Norse v. Henry Holt &*
23 *Co.*, 991 F.2d 563, 566 (9th Cir. 1993).

24 **Direct Evidence:** No reasonable jury could fail to find that direct evidence establishes
25 Arista’s copying of protectable elements of Cisco’s works. *See Norse*, 991 F.2d at 566 (direct
26 evidence established by defendants’ “admi[ssion] that they in fact copied phrases from [plaintiff’s]
27 letters”). Extensive documentary evidence (*e.g.*, Ex. 295) and admissions from Arista’s own
28 witnesses (*e.g.*, Tr. 781:21-23, 800:9-14 (Duda)) establish conclusive direct evidence of Arista’s

1 copying of Cisco's user interfaces. Indeed, Arista admitted to "slavishly" copying Cisco's user
2 interfaces from Cisco sources (*e.g.*, Ex. 203) and putting that copied material directly into Arista's
3 user interface (Tr. 878:1-5 (Duda)), where Arista sold it in direct competition (*e.g.*, Tr. 1008:13-16
4 (Dale)). Arista further admitted that its placement of core features of Cisco's user interfaces
5 expression into its own product was intentional. *E.g.*, Tr. 800:9-14 (Duda); 900:17-25 (Sadana).
6 Further, no reasonable jury could fail to find that the portions of Cisco's user interfaces that Arista
7 copied were original and protectable. *E.g.*, Tr. 652:19-653:7 (Remaker).

8 Having conclusively established via direct evidence that Arista copied original, protected
9 expression from Cisco's user interfaces, Cisco need only show that such taking was not *de minimis* to
10 establish infringement as a matter of law; neither the jury nor the Court need even consider indirect
11 evidence of infringement. *Newton v. Diamond*, 388 F.3d 1189, 1192-93 (9th Cir. 2004).

12 **Indirect Evidence:** But should the Court have any doubt, Cisco is also entitled to judgment as
13 a matter of law based on indirect evidence of copying. To establish indirect evidence, Cisco must
14 show: (1) that Arista had access to Cisco's works (Jury Inst. 38); and (2) that the protectable elements
15 of Cisco's works are virtually identical to the corresponding elements of Arista's works and that both
16 works as a whole have the same total concept and feel. Inst. 39.

17 *First*, it is undisputed that Arista, all of whose key executives formerly worked at Cisco, had
18 access to Cisco's copyrighted works. Arista's own documents and testimony concede this. *E.g.*, Ex.
19 189; Tr. 783:3-9 (Duda).

20 *Second*, no reasonable jury could find that Cisco's asserted protectable elements, as defined by
21 this Court, are not virtually identical to the corresponding elements of Arista's works. The
22 commands, modes and prompts, screen output/responses, and help descriptions Arista copied are in
23 the record (Exs. 4803, 4821, 4800, 4794, 4799), as are Arista's corresponding elements (*e.g.*, Exs. 1-
24 15). This undisputed evidence confirms that these expressions are essentially identical on a side-by-
25 side comparison. Arista's witnesses conceded that these expressions are effectively identical. *E.g.*,
26 Tr. 926:19-927:5 (Sadana); 2222:25-2223:3 (Black). Nor is there any dispute that these elements are
27 original and protectable, as determined by this Court's rulings and for the reasons set forth above.

1 *Third*, no reasonable jury could find that the total concept and feel of Cisco’s user interfaces as
2 a whole, excluding unprotectable elements, are not virtually identical to Arista’s works, as the overall
3 concept and feel of the works do not differ by more than a trivial degree. *E.g.*, Exs 1-15, 4803; 4745.
4 As third-party witnesses confirmed, Cisco CLI has a distinctive concept and feel that is instantly
5 recognizable to a reasonable user of a network switch. *E.g.*, Tr. 2063:15-2064:7 (Shafer). And as
6 noted above, *see supra* Part III.A.1, Cisco’s and Arista’s user interfaces are properly in evidence.

7 **4. Arista’s Copying Was More Than *De Minimis***

8 Finally, no reasonable jury could fail to find that Arista copied far more than a trivial amount
9 of Cisco’s works as a whole. In assessing whether a taking is *de minimis*, the factfinder looks to the
10 amount taken relative to the *plaintiff’s* work, not the defendant’s. Jury Inst. 41. And as noted above,
11 Cisco’s entire works are sufficiently in the record to make this comparison. *See supra* Part III.A.1.

12 Here, Arista’s own witnesses admitted that, as a matter of qualitative and quantitative
13 evaluation, Arista’s taking was more than merely trivial—Arista confirmed that it copied the elements
14 of Cisco’s user interfaces that it thought customers most desired, and even described itself as a
15 “practical drop-in replacement” for Cisco’s user interface “given the 99.999% similarity in the CLI.”
16 Ex. 171; *see also, e.g.*, Ex. 545. Arista failed to controvert Cisco’s showing that its copied CLI user
17 interface was one of its most valuable assets. Ex. 250 (Giancarlo). Further, Arista conceded that its
18 taking was quantitatively more than trivial. Exs. 488, 278. In any event, it cannot be disputed that
19 Cisco’s protected elements “would be recognized instantly by anyone familiar with the original,” and
20 thus cannot be a *de minimis* taking as a matter of law. *Fisher v. Dees*, 794 F.2d 432, 434 n.2 (9th Cir.
21 1986). Arista *depended* on that recognition in seeking customers, conceding that it used Cisco’s
22 protected expressions specifically because it was already familiar to potential Arista customers. *E.g.*,
23 Ex. 376; Tr. 914:1-6 (Sadana).

24 **B. No Reasonable Jury Could Find That Arista Did Not Infringe Cisco’s**
25 **Technical Manuals**

26 In addition, no reasonable jury could find that Arista did not infringe Cisco’s technical
27 manuals. Arista does not, and cannot, dispute that: (1) the manuals contain original expressions, (*e.g.*,
28 Tr. 767:7-10 (Duda)); (2) the expressions in the manuals exhibit at least minimal creativity, (*e.g.*, Tr.

1 customers. *E.g.*, Tr. 2265:9-10 (Gourlay, video deposition testimony); Exs. 171, 278. Moreover,
2 Arista was unable to dispute that the copied portions of Cisco's user interfaces are both quantitatively
3 and qualitatively significant to Cisco. *E.g.*, Tr. 1055:23-25 (Kathail); Tr. 2221:14-22, Tr. 2247:9-11
4 (Black).

5 Finally, the fourth factor must weigh in Cisco's favor because Arista used Cisco's works to
6 directly compete with Cisco, reducing the value of Cisco's works. *E.g.*, Tr. 1721:21-1722:18
7 (Chambers). Arista's admitted attempts (and successes) at converting Cisco customers based on its
8 copying of Cisco's user interfaces confirms this market harm. *E.g.*, Ex. 197; Tr. 911:4-7 (Sadana).
9 Arista has admitted that it used Cisco's protected expressions to win over Cisco customers because it
10 would have taken too long, and would have been too expensive, to create its own original command-
11 line interface from scratch; it instead chose to develop a system that was "a practical **drop-in**
12 **replacement**" for Cisco's, "given the 99.999% similarity in the CLI." Ex. 171; *see also, e.g.*, Ex. 197
13 (Sadana); Tr. 1017:22-1018:9; Exs. 176, 237, 648, 650.

14 Ultimately, whether Arista's conduct is excused by fair use depends on the balance of these
15 and other relevant factors in light of the objectives and policy of copyright law. Jury Inst. 56A; *Kelly*,
16 336 F.3d at 818. Construing all the facts and reasonable inferences in Arista's favor, no reasonable
17 jury could find that Arista's use of valuable, substantial portions of Cisco's copyrighted material in a
18 commercial, directly competing product and without changing the features in any way is a fair use.
19 The Court should enter a judgment as a matter of law in Cisco's favor on this defense.

20 **B. No Reasonable Jury Could Find That Arista's Infringement Was Excused By**
21 **Merger Or Scènes A Faire**

22 As a matter of law, Arista is also unable to support its burden of proof on its affirmative
23 defense of merger, as no reasonable jury could find that, at the time Cisco created its works, Cisco had
24 only one or very few ways to express its protectable elements. Jury Inst. 60. Arista provided no
25 evidence that, at the time Cisco created the expressions at issue, there was only one or a few ways to
26 construct such expressions. To the contrary, the undisputed evidence shows that there were **multiple**
27 ways for Cisco and its competitors to express the ideas underlying Cisco's commands. *E.g.*, Tr.
28 2325:22-2326:6 (Venkatraman); Tr. 2060:5-2061:3 (Shafer). As noted above, Cisco engaged a

1 creative process to create the building blocks at issue, none of which had been used in a command-line
2 interface before Cisco created them. *E.g.*, Tr. 2212:14-17, 2219:16-18 (Black). Arista's CTO
3 conceded that it was "technically possible" for Arista to have used a different user interface than
4 Cisco's to provide the same functionality. Tr. 800:19-23 (Duda). The fact that competitors, including
5 Juniper, implement CLI commands that differ from Cisco's further proves that a range of expression
6 was available. *E.g.*, Tr. 2077:21-2078:11 (Shafer); Tr. 2325:22-2326:6 (Venkatraman).

7 For similar reasons, and based on similar evidence, no reasonable jury could find that, at the
8 time Cisco created its works, external factors other than Cisco's creativity "dictated" that Cisco select,
9 arrange, organize and design its original features in the manner it did, and thus Cisco is entitled to
10 judgment as a matter of law on Arista's *scènes à faire* affirmative defense. Jury Inst. 61. For
11 example, Arista does not dispute that no standard-setting organizations or customer preconceptions
12 **required** Cisco to design the expressions in its user interface as it did (*e.g.*, Tr. 1963:5-8 (Ullal)); to
13 the contrary, as Mr. Shafer of Juniper testified, the creative process within Cisco was a "greenfield" or
14 "open pasture," without constraints, at the time the user interfaces were created. Tr. 2060:17-2061:3
15 (Shafer).

16 C. **No Reasonable Jury Could Find That Arista's Infringement Was Excused By**
17 **Copyright Misuse Or Abandonment**

18 Cisco reiterates its objection to Arista's affirmative defenses of copyright misuse and
19 abandonment going to the jury as these are equitable defenses exclusively reserved to the Court. *See*
20 Tr. 2409:1-18 (copyright misuse); Tr. 2409:19-2410:6 (abandonment). However, even if they are
21 treated as issues for the jury to determine, no reasonable jury could find that Arista satisfied its burden
22 of proof on either of these defenses. Arista introduced no competent evidence that Cisco attempted to
23 use its copyrights to prevent Arista from using **unprotected** elements or undertaking activity
24 safeguarded by public policy (Jury Inst. 62), nor has Arista introduced any competent evidence that
25 Arista intended to surrender its rights to its copyrights in its user interfaces, nor of an act by Cisco
26 evidencing such intent (Jury Inst. 63). Such a failure of proof on Arista's own burden requires
27 judgment in Cisco's favor on these defenses. *See also, e.g.*, Exs. 250, 4421, 4671.
28

Final Instruction No. 32 re Copyright—Originality

An original work may include or incorporate elements taken from prior works, works from the public domain, and/or works owned by others, with the owner's permission. The original parts of the plaintiff's work are the parts created:

1. independently by the work's author, that is, the author did not copy it from another work; and
2. by use of at least some minimal creativity.

In copyright law, the "original" part of a work need not be new or novel.

Final Instruction No. 33 re Copyright—Compilations

An owner is entitled to copyright protection of a compilation. A compilation is a work formed by the collection and assembling of preexisting materials or of data that are selected, coordinated, or arranged in such a way that the resulting work as a whole constitutes an original work of authorship.

The owner of a compilation may enforce the right to exclude others in an action for copyright infringement.

Final Instruction No. 36 re Copyright—Copying

Cisco has the burden of proving by a preponderance of the evidence that Arista copied original, protected elements from Cisco's copyrighted works. There are two ways that Cisco can meet its burden.

First, Cisco may establish Arista's copying through direct evidence. An example of direct evidence would be an admission by Arista that part or all of the work was copied. Direct evidence may also be the credible testimony of a witness who saw the work being copied.

Alternatively, Cisco may show that Arista copied from Cisco's copyrighted works through indirect evidence by proving by a preponderance of the evidence that:

1. Arista had access to Cisco's copyrighted works and;
2. There is virtual identity between Arista's works and the original, protected elements of Cisco's works.

Final Instruction No. 39 re Copyright—Indirect Evidence: Virtual Identity

To establish indirect evidence of copying, Cisco must prove virtual identity in two steps.

Virtual identity means differing by no more than a trivial degree.

First, Cisco must prove that there is virtual identity between the original, protected elements of Cisco's copyrighted works and the corresponding elements of Arista's works that Cisco claims Arista copied.

In making this comparison, you may find any of the following elements of Cisco's works protected as a compilation if you find that they are original:

1. The selection and arrangement of Cisco's multiword command-line expressions;
2. The selection and arrangement of Cisco's modes and prompts;
3. The collection of Cisco's screen responses and outputs;
4. The collection of Cisco's help descriptions;
5. Cisco's user interfaces as a whole as compilations of elements 1 through 4;
6. Each of Cisco's technical manuals.

In making this comparison, you should not consider the following elements, which are not protectable:

1. Individual words used in any of the asserted elements;
2. Any single multiword command;
3. The idea or method of grouping or clustering commands under common initial words, such as "show" or "ip";
4. Any command hierarchy;
5. Specific modes and specific prompts;
6. The idea of a set pathway through a series of modes;
7. The idea of making certain commands available only in certain modes;
8. Use of command syntax such as "[verb] [object] [parameters]";
9. The choice of using a text-based user interface;
10. The idea of using multiword command expressions to manage or configure a device;
11. The function of any asserted feature;

- 1 12. The use of “?” to call up help descriptions;
- 2 13. Individual help description phrases;
- 3 14. Command prefixes that the user interface auto-completes;
- 4 15. Tab completions.

5 If Cisco proves virtual identity between the relevant protected elements, it must also prove
6 that an ordinary reasonable observer would find the total concept and feel of its copyrighted works
7 as a whole to be virtually identical to Arista’s challenged works as a whole. In making that
8 comparison, you should not consider elements that are not original or are not protectable. As I
9 previously instructed you, Cisco’s works as a whole are its four user interfaces associated with its
10 four operating systems, as well as each of Cisco’s asserted technical manuals. Arista’s works as a
11 whole are the user interfaces for each of the accused Arista operating systems as well as each of
12 Arista’s accused technical manuals.

Final Instruction No. 41 re Copyright – Sufficiency of Copying

If you conclude that Cisco has proven, whether by direct or indirect evidence, that Arista copied original, protected elements of Cisco's works, you must then determine whether that copying was greater than *de minimis*—that is, more than a trivial amount of Cisco's works as a whole. In making this determination, you should consider the qualitative as well as the quantitative significance of the copied portion in relation to Cisco's works as a whole.

1 **Final Instruction No. 61 re Copyright—Affirmative Defense: Scènes À Faire**

2 Scènes à faire is an affirmative defense to copyright infringement.

3 To show that portions of Cisco's user interfaces are scènes à faire material, Arista must
4 show that, at the time Cisco created the user interfaces—not at the time of any copying—external
5 factors other than Cisco's creativity dictated that Cisco select, arrange, organize and design its
6 original features in the manner it did. The scènes à faire doctrine depends on the circumstances
7 presented to the creator at the time of creation, not the circumstances presented to the copier at the
8 time it copied.

9 Arista has the burden of proving this defense by a preponderance of the evidence.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

v.

ARISTA NETWORKS, INC.,

Defendant.

Case No. 5:14-cv-05344-BLF (NC)

VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

YOUR ANSWERS MUST BE UNANIMOUS

Copyright Infringement: User Interfaces

1. Has Cisco proven that Arista infringed any of Cisco's user interfaces?

Yes	No
(For Cisco)	(For Arista)
<u>X</u>	_____

IF YOU ANSWERED "YES" TO QUESTION 1, PLEASE ANSWER QUESTION 2.

IF YOU ANSWERED "NO" TO QUESTION 1, PLEASE GO TO QUESTION 6.

2. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the following?

	Yes	No
	(For Arista)	(For Cisco)
a. Fair use	_____	<u>X</u>
b. Scènes à faire	<u>X</u>	_____
c. Merger	_____	<u>X</u>

IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTION 2, PLEASE GO TO QUESTIONS 3 AND 4 AND ANSWER BOTH.

IF YOU ANSWERED "YES" TO ANY LINE OF QUESTION 2, PLEASE GO TO QUESTION 5.

3. What amount of lost profits damages is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

\$ _____

PLEASE GO TO QUESTION 4.

4. What amount of Arista's profits is Cisco entitled to recover as a result of Arista's copyright infringement of Cisco's user interfaces, if any?

\$ _____

PLEASE GO TO QUESTION 5.

5. As to the user interfaces you found to be infringed in Question 1, has Arista proven any of the following?

	Yes (For Arista)	No (For Cisco)
a. Abandonment	_____	<u>X</u>
b. Copyright misuse	_____	<u>X</u>

PLEASE GO TO QUESTION 6.

Copyright Infringement: Technical Manuals

6. Has Cisco proven that Arista infringed any of Cisco's technical manuals?

Yes	No
(For Cisco)	(For Arista)

—	<u>X</u>
---	----------

PLEASE GO TO QUESTION 7.

Patent Infringement

7. Has Cisco proven that Arista directly infringed claims 1 and/or 14 of the '526 patent?

Yes	No
(For Cisco)	(For Arista)

a. Claim 1	—	<u>X</u>
b. Claim 14	—	<u>X</u>

PLEASE GO TO QUESTION 8.

8. Has Cisco proven that Arista induced infringement of claims 1 and/or 14 of the '526 patent?

Yes	No
(For Cisco)	(For Arista)

a. Claim 1	—	<u>X</u>
b. Claim 14	—	<u>X</u>

PLEASE GO TO QUESTION 9.

9. Has Cisco proven that Arista contributorily infringed claims 1 and/or 14 of the '526 patent?

	Yes (For Cisco)	No (For Arista)
a. Claim 1	_____	<u>X</u>
b. Claim 14	_____	<u>X</u>

IF YOU ANSWERED "YES" TO ANY LINE ON QUESTIONS 7, 8, OR 9, PLEASE ANSWER QUESTIONS 10 AND 11.

IF YOU ANSWERED "NO" TO EVERY LINE OF QUESTIONS 7, 8 AND 9, PLEASE GO TO THE END OF THIS VERDICT FORM AND SIGN AND DATE IT.

10. What amount of damages do you award Cisco for Arista's patent infringement?

\$ _____

PLEASE GO TO QUESTION 11.

11. Has Cisco proven that Arista willfully infringed the '526 patent?

Yes	No
_____	_____

PLEASE SIGN AND DATE BELOW.



Presiding Juror

Date: 12/14/16

1 KEKER & VAN NEST LLP
ROBERT A. VAN NEST - # 84065
2 BRIAN L. FERRALL - # 160847
DAVID SILBERT - # 173128
3 MICHAEL S. KWUN - #198945
633 Battery Street
4 San Francisco, CA 94111-1809
Telephone: (415) 391-5400
5 Email: rvannest@kvn.com;
bferrall@kvn.com; dsilbert@kvn.com;
6 mkwun@kvn.com

SUSAN CREIGHTON, SBN 135528
SCOTT A. SHER, SBN 190053
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
1700 K Street NW, Fifth Floor
Washington, D.C., 20006-3817
Telephone: (202) 973-8800
Email: screighton@wsgr.com;
ssher@wsgr.com

7
8 JONATHAN M. JACOBSON, NY SBN 1350495
CHUL PAK (*pro hac vice*)
DAVID H. REICHENBERG (*pro hac vice*)
9 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
10 1301 Avenue Of The Americas, 40th Floor
New York, NY 10019-6022
11 Telephone: (212) 999-5800
Email: jjacobson@wsgr.com; cpak@wsgr.com;
12 dreichenberg@wsgr.com

13 Attorneys for Defendant ARISTA NETWORKS, INC.

14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 ARISTA NETWORKS, INC.,

21 Defendant.
22
23
24
25
26
27
28

Case No. 5:14-cv-05344-BLF (NC)

**ARISTA'S MOTION FOR JUDGMENT AS
A MATTER OF LAW AND
CONDITIONAL MOTION FOR NEW
TRIAL (FED. R. CIV. P. 50(B) AND 59)**

Dept.: Courtroom 3 - 5th Floor
Judge: Hon. Beth Labson Freeman

Date Filed: December 5, 2014

Trial Date: November 21, 2016

TABLE OF CONTENTS

		<u>Page</u>
1		
2		
3	NOTICE OF MOTION.....	1
4	MEMORANDUM OF POINTS AND AUTHORITIES	1
5	I. INTRODUCTION	1
6	II. FACTUAL BACKGROUND.....	2
7	A. Cisco’s asserted CLI elements are a small portion of its command-line	
8	interface, a functional system used to manage networking devices.	2
9	B. Cisco borrowed from pre-existing CLI systems and established industry	
10	terminology and standards, and failed to prove original authorship.....	3
11	C. Cisco’s CLI elements reflect functions, not original creative expression.	4
12	D. Cisco knew and accepted for years that the industry (including Arista) was	
13	using its CLI as a model.....	6
14	E. Cisco only claimed copyright in CLI elements after Arista’s transformative	
15	innovations left Cisco behind.....	9
16	F. Cisco failed to compete with Arista’s transformative products on their	
17	technical merits, not because of the CLI.....	10
18	III. CISCO’S COPYRIGHT CLAIMS FAIL—AND ARISTA’S DEFENSES	
19	SUCCEED—AS A MATTER OF LAW.....	11
20	A. Cisco lacks sufficient evidence that it owns any protectable original	
21	expression in the asserted CLI.	12
22	1. Cisco lacks adequate proof of original authorship.....	12
23	2. Cisco’s asserted CLI elements are unprotectable under Section	
24	102(b).....	13
25	3. Cisco has failed to prove any of its asserted CLI elements or	
26	combinations thereof are protectable creative expression.	14
27	4. Command “names” and help strings are unprotectable short	
28	phrases.....	15
	B. Cisco has not proven any protectable compilation of CLI elements.	15
	C. No reasonable jury could find Cisco has proven infringement given the	
	“thin” protection that applies to Cisco’s works.	16
	1. Cisco has failed to show “virtual identity” of the works as a whole	
	(omitting unprotectable elements) as needed to prove illicit	
	copying.....	17

TABLE OF CONTENTS
(continued)

	<u>Page</u>
2. Cisco lacks sufficient evidence to prove infringement even under the substantial identity test for works receiving broad protection.	18
D. The jury lacked sufficient evidence to consider and compare the disputed works as a whole—or even to define their scope.	18
E. No substantial evidence proves Cisco’s “user interfaces” are copyrighted works separate from Cisco’s complete registered operating systems.....	19
F. Arista’s conduct is fair use as a matter of law.	20
G. Cisco abandoned its copyrights as a matter of law.	23
H. Cisco has misused its copyrights as a matter of law.	24
I. No reasonable jury could fail to find merger on this record.	25
IV. FOR THE SAME REASONS, ANY NEW TRIAL MUST INCLUDE ALL ISSUES	25
V. CONCLUSION.....	25

1 Even Cisco's then-CEO, John Chambers, admitted that Cisco missed "a very important
2 transition in networking." Tr. (Chambers) at 1725:6-19. Many others at Cisco acknowledged
3 Arista's superior, transformative innovations,⁷ and Cisco's failure to match them: "Cisco has
4 missed or has been late to important technology innovations, and has been slow to innovate on
5 business models and operational processes." TX 5168 at 4.

6 Any Cisco losses to Arista in the market resulted from this failure to innovate and offer
7 competitive hardware and software—not from any use of Cisco CLI features. Mr. Chambers
8 conceded that Cisco lost Microsoft business to Arista not because of its CLI, but because Cisco
9 "missed multiple road map commitments." Tr. (Chambers) at 1734:5-9; TX 5219. Other
10 customers, like Morgan Stanley, also "lost confidence" in Cisco due to "software defects,
11 instability, and a lack of needed features"—not the CLI. TX 7604. Even Cisco's damages expert
12 Dr. Chevalier admitted that the CLI "can't be the reason why Arista won" deals over Cisco (Tr.
13 (Chevalier) at 1574:6–17) because Arista's CLI was "not a differentiator versus Cisco." Tr.
14 (Chevalier) at 1574:21-1575:13; *see also* Tr. (Chevalier) at 1679:2-5 ("the CLI is not a reason a
15 customer chooses an Arista switch over a Cisco switch"). By the same logic, use of a Cisco-like
16 CLI cannot be the reason for a customer to choose any other competitor over Cisco—including
17 the many competitors who had been copying Cisco's CLI for years (*see supra* Part II.D). *See*,
18 *e.g.*, Tr. (Chevalier) at 1575:14-18 (for any two companies with similar CLIs, there must be
19 "some other reason for customers to choose one versus the other"); Tr. (Chevalier) at 2605:15-
20 2606:25 (many non-CLI reasons why customer chose Arista over Cisco); TX 5316; TX 5496.

21 **III. CISCO'S COPYRIGHT CLAIMS FAIL—AND ARISTA'S DEFENSES** 22 **SUCCEED—AS A MATTER OF LAW**

23 "Judgment as a matter of law is warranted when the evidence presented at trial permits
24 only one reasonable conclusion." *Peralta v. Dillard*, 744 F.3d 1076, 1085 (9th Cir. 2014) (en
25 banc) (internal quotation omitted) (affirming grant of JMOL). The court "should review the

26 ⁷ *See, e.g.*, Tr. (Remaker) at 705:7–708:20 (Arista beat Cisco in implementing commands using
27 Jabber, a chat tool); TX 5161 ("Arista has an XMPP based CLI, very cool. Wish we had done
28 this."); Tr. (Bakan) at 483:15-19 (Cisco needed to develop JSON interface to match Arista); TX
5162 (Remaker on an Arista innovation: "Wow. . . . I wish IOS did this."); TX 6736 (Cisco in
2014: "Arista has arguably the best device programmability today.").

record as a whole,” making reasonable inferences in favor of the non-moving party, and “may not substitute its view of the evidence for that of the jury.” *Johnson v. Paradise Valley Unified Sch. Dist.*, 251 F.3d 1222, 1227 (9th Cir. 2001) (internal quotations omitted). Still, “threadbare conclusory statements” and unreasonable inferences cannot support a verdict. *Lakeside-Scott v. Multnomah Cty.*, 556 F.3d 797, 802 (9th Cir. 2009) (reversing denial of JMOL). In addition to evidence favoring the nonmoving party, the court must also credit “evidence supporting the moving party that is uncontradicted and unimpeached, at least to the extent that that evidence comes from disinterested witnesses.” *Reeves v. Sanderson Plumbing Prod., Inc.*, 530 U.S. 133, 151 (2000) (internal quotation omitted). For all the reasons below and in Arista’s Rule 50(a) motion, a reasonable jury here must return a verdict wholly in Arista’s favor.

A. Cisco lacks sufficient evidence that it owns any protectable original expression in the asserted CLI.

Considered separately or in any combination, Cisco’s CLI elements are uncopyrightable and/or unprotectable under Section 102(a) and (b) and the words and short phrases doctrine.

1. Cisco lacks adequate proof of original authorship.

Original authorship is the most fundamental requirement for copyright, and Cisco’s claims cannot survive without it: “The *sine qua non* of copyright is originality.” *Feist Publications, Inc. v. Rural Tel. Serv. Co.*, 499 U.S. 340, 345 (1991); 17 U.S.C. § 102(a). But Cisco lacks sufficient evidence to prove that the 506 commands and 216 help descriptions it asserts (or the thousands of others) are the result of its original authorship. Except for a few dozen commands and two mode names Mr. Lougheed identified as his own work, and Mr. Remaker’s testimony about “show inventory,”⁸ Cisco presented *no substantial evidence* of who created its CLI commands, command outputs, and help descriptions, or what sources they drew from.⁹ See Tr. (Lougheed) 603-04 (no knowledge of others’ help strings; Cisco does not track this); Tr. (Remaker) 689 (no

⁸ See Tr. (Lougheed) 569:4-17 (36 commands); Tr. (Lougheed) 508 (modes); Tr. (Remaker) 670-71 (“show inventory”). In fact, even several of these few commands appeared in a DEC manual by the year Cisco asserted he created them. See *supra* Part II.C.

⁹ Undisputed evidence shows that features of Cisco’s interfaces were copied from pre-existing systems or sources, defeating any presumption of originality. See *supra* Part II.B-C. Also, although not always discussed separately, the record makes clear that Cisco’s asserted command outputs (TX 4800) are unprotectable for all the same reasons as its commands and help strings.

1 knowledge of creation of other commands), Tr. (Remaker) at 1536-37 (no personal knowledge);
2 Tr. (Slattery) at 748:17-749:1 (no knowledge re help string authorship); Tr. (Remaker) at 1538
3 (Cisco's lack of information about authorship); Tr. (Bakan) at 470:1-4 (no authorship
4 knowledge). Cisco's only other evidence of authorship for its CLI elements is its summary
5 exhibits. At most, though, these prove only that Cisco's operating systems and manuals contain
6 the asserted commands and other elements—not that they were original to Cisco or express
7 creativity. *See* TX 4789 (commands); TX 4799 (help strings); TX 4800 (command outputs). Any
8 inference of original creative expression on this record would be unreasonable.

9 Cisco has proven at most that assembling its CLI involved effort and (at least in some
10 cases) some choice. Instead of detailed factual proof, Cisco relies on a theory that its asserted
11 CLI features are creative and protectable because they resulted from a creative “process.” Cisco's
12 “process” theory is legally defective because copyright does not protect an author's effort, only
13 her creative expression. *VMG Salsoul, LLC v. Ciccone*, 824 F.3d 871, 885 (9th Cir. 2016)
14 (“[T]he Copyright Act protects only the expressive aspects of a copyrighted work, and *not* the
15 ‘fruit of the [author's] labor.’”) (emphasis original; quoting *Feist*, 499 U.S. at 349–54). Allowing
16 Cisco's cursory “process” evidence to prove creativity—without proof of creativity in the CLI
17 itself—would violate the Supreme Court's guidance in *Feist* by granting Cisco protection for the
18 work it has done, rather than any resulting creative expression. Moreover, as described above,
19 Cisco also lacks substantial evidence that the “process” it describes was followed for any but a
20 few of its asserted CLI elements. *See, e.g.*, Tr. (Remaker at 689-90).

21 Further, as discussed below, Cisco failed to introduce substantial evidence of originality in
22 any compilation of CLI elements.

23 2. Cisco's asserted CLI elements are unprotectable under Section 102(b).

24 A fundamental rule of copyright is that ideas—including systems and methods—cannot be
25 protected by copyright; only creative *expression* of ideas is copyrightable. *Baker v. Selden*, 101
26 U.S. 99 (1879); 17 U.S.C. § 102(b) (“Section 102(b)”). Here, Cisco's witnesses describe the CLI
27 in purely functional terms as a “mechanism” for managing networking devices and a method of
28 operation within Cisco's operating systems. Both the individual CLI elements, and Cisco's

1 overall compilations of features, simply reflect the functions and features of the system. *See supra*
2 Part II.A-C. Indeed, Cisco’s own expert testified that Cisco’s arrangement of modes and prompts
3 asserted here is an “idea.” Tr. (Almeroth) at 1238. Section 102(b) precludes protection for that
4 idea, and for every other asserted part of Cisco’s CLI.

5 No reasonable jury could find that Cisco’s CLI elements satisfy Section 102(b), because
6 Cisco has not proven any original creative expression separable from the CLI systems or methods
7 of operation that are unprotectable under Section 102(b). Because of their “essentially utilitarian
8 nature,” and to protect fair competition, “many aspects” of computer programs are not entitled to
9 copyright protection. *Sega Enters. Ltd. v. Accolade, Inc.*, 977 F.2d 1510, 1524-25 (9th Cir. 1992).
10 In some cases, “even the exact set of commands used . . . is deemed functional rather than
11 creative.”¹⁰ *Id.*; *see also Bikram’s Yoga College of India v. Evolution Yoga*, 803 F.3d 1032,
12 1039-40 (9th Cir. 2015) (citing *Sega*); *Feist*, 499 U.S. at 350 (rule “severely limits the scope of
13 protection”). This rule bars Cisco’s claims here.

14 **3. Cisco has failed to prove any of its asserted CLI elements or**
15 **combinations thereof are protectable creative expression.**

16 A reasonable jury could not find that any of the CLI elements or combinations of elements
17 that Cisco asserts contain the requisite spark of original creative expression necessary for
18 copyright protection, and not dictated by factors other than creative choice. Although the “amount
19 of creative input by the author required to meet the originality standard is low, it is not
20 negligible,” and more than “merely trivial” creativity is needed. *Satava v. Lowry*, 323 F.3d 805,
21 810 (9th Cir. 2003); *Matthew Bender & Co. v. W. Pub. Co.*, 158 F.3d 674, 682 (2d Cir. 1998)
22 (internal citations and quotations omitted). As *Matthew Bender* explains, “[t]he creative spark is

23 ¹⁰ Courts routinely deny copyright protection, under various theories, for similarly functional sets
24 of commands and menus (as distinct from specific code implementing them). *See Ashton-Tate*
25 *Corp. v. Ross*, 916 F.2d 516, 521–22 (9th Cir. 1990) (list of commands); *Dream Games of*
26 *Arizona, Inc. v. PC Onsite*, 561 F.3d 983, 989 (9th Cir. 2009) (video game menu); *see also Allen*
27 *v. Academic Games League of America, Inc.*, 89 F.3d 614, 617–18 (9th Cir. 1996) (“abstract rules
28 and play ideas” for games not copyrightable); *MiTek Holdings, Inc. v. Arce Engineering Co., Inc.*,
89 F.3d 1548, 1556-57 & n.19 (11th Cir. 1996) (menu and “sub-menu command tree structure”
implementing functional steps in a process not copyrightable); *Mitel, Inc. v. Iqtel, Inc.*, 124 F.3d
1366, 1373 (10th Cir. 1997) (no copyrightable expression in system of “command codes” used in
telephone systems); *Eng’g Dynamics, Inc. v. Structural Software, Inc.*, 26 F.3d 1335, 1347-48
(5th Cir. 1994) (remanding questions about input/output formats for technical information).

1 missing where: (i) industry conventions or other external factors so dictate selection that any
2 person composing a compilation of the type at issue would necessarily select the same categories
3 of information, or (ii) the author made obvious, garden-variety, or routine selections.” *Id.*
4 (internal citations and quotations omitted). “Protection of such choices would enable a copyright
5 holder to monopolize widely-used expression and upset the balance of copyright law.” *Id.* Using
6 existing industry labels for functions, as Cisco did here, fails the low bar for originality. *See supra*
7 Part II.A-C. This record compels the conclusion that Cisco’s asserted CLI components lack the
8 creative “spark” required for copyright protection.

9 **4. Command “names” and help strings are unprotectable short phrases.**

10 The record is clear that the asserted commands and help strings are names and trivial
11 functional phrases dictated by the ordinary functional demands of networking.¹¹ *See supra* Part
12 II.A-C. They are thus unprotectable under the words and short phrases doctrine as a matter of law,
13 both individually and taken together. *See* 37 C.F.R. § 202.1(a); *Narell v. Freeman*, 872 F.2d 907,
14 911 (9th Cir. 1989) (no protection for “ordinary” factual phrases). It is “axiomatic that copyright
15 law denies protection to ‘fragmentary words and phrases’ and to ‘forms of expression dictated
16 solely at functional considerations’” because such materials lack the creativity to warrant
17 copyright protection. *CMM Cable Rep, Inc. v. Ocean Coast Properties, Inc.*, 97 F.3d 1504,
18 1519–20 (1st Cir. 1996) (no protection for “clock in and make \$50 an hour”).¹²

19 **B. Cisco has not proven any protectable compilation of CLI elements.**

20 Cisco also lacks substantial evidence that its selections of CLI features asserted here—
21 only a small fraction of any complete works, *see supra* Part II.A—were authored or “fixed in any
22 tangible medium of expression” before this litigation. *See* 17 U.S.C. § 102(a). For a compilation
23 of unprotectable elements to receive copyright protection under Ninth Circuit law, there must be
24 some “creative spark” in the author’s arrangement of those elements *within the work itself*, not in

25 ¹¹ Cisco’s expert’s conclusory *ipse dixit* is not substantial evidence that help strings like “Delete a
26 file” and “Rename a file” were “elegant” and “creative.” *See* Tr. 1394:12-18; Tr. 1394:19-1395:6.

27 ¹² *See also* *Alberto-Culver Co. v. Andrea Dumon, Inc.*, 466 F.2d 705, 711 (7th Cir. 1972) (no
28 protection for “the most personal sort of deodorant”); *Hutchins v. Zoll Med. Corp.*, 492 F.3d
1377, 1384–85 (Fed. Cir. 2007) (3–5 word CPR instructions); *Greene v. Ablon*, 914 F. Supp. 2d
110, 117 (D. Mass. 2012), *aff’d*, 794 F.3d 133 (1st Cir. 2015) (lengthy “fragmentary” phrases);
Pelt v. CBS, Inc., No. CV-92-6532, 1993 WL 659605, at *3 (C.D. Cal. Oct. 25, 1993).

1 what the defendant allegedly copied. *See Satava*, 323 F.3d at 811.

2 Cisco has never identified any selection or arrangement of CLI elements containing any
3 “creative spark” or pre-dating this litigation, let alone proved it by substantial evidence at trial, as
4 needed to support copyright protection in a compilation or arrangement. The 506 asserted
5 commands, for example, simply reflect what Arista allegedly copied, cherry-picked by Cisco for
6 this litigation. Tr. (Black) at 2620:25-2621:17. Likewise, although Lougheed described the four
7 asserted modes as “the main modes of the system” (Tr. (Lougheed) at 510:17-21), they are not the
8 only modes (Tr. (Almeroth) at 1381:3-18 (over 100 modes); Tr. (Lougheed) at 597 (IOS has
9 dozens)), and Cisco lacks substantial evidence that those four modes exist as a pre-litigation
10 arrangement within the CLI—in fact, Cisco admits they are not displayed together to a user as
11 Cisco has presented them in this litigation (Tr. (Lougheed) at 597). The only pre-existing
12 “compilation” Cisco could have presented at trial is the Cisco user interface as a whole, including
13 *all* of the commands in each Cisco operating system. But Cisco failed to prove its complete
14 interfaces (see below), and there can be no protectable expression in devising sets of CLI features
15 driven by the functional choice to implement a certain set of features or protocols, because no one
16 can own copyright in the idea of choosing to implement that set of functions. *See* Section 102(b).

17 **C. No reasonable jury could find Cisco has proven infringement given the “thin”**
18 **protection that applies to Cisco’s works.**

19 Cisco has not introduced evidence sufficient to prove actionable or *illicit* copying of
20 protected material under either the Ninth Circuit’s extrinsic or intrinsic infringement tests (and
21 both must be met to prove infringement). Rather, the trial record makes clear that only a small
22 portion of each asserted work was copied, much (or all) of which was not protected material. No
23 reasonable fact-finder could find infringement under the “virtual identity” test that applies to
24 works meriting only thin copyright protection.

25 This is true whether the “virtual identity” standard is applied as a core requirement of the
26 infringement test (as Ninth Circuit law requires), or as a test only for proving copying by indirect
27 evidence (as the jury was instructed here over Arista’s objections). The virtual identity test
28 applies either way, because Cisco lacks substantial direct evidence that Arista copied protected
material. Substantial evidence may show that Arista copied *something* from Cisco—but there is

1 no direct evidence or admission that it copied *protected material*, as needed for infringement.
2 The Ninth Circuit’s virtual identity or substantial similarity test must be applied to assess
3 infringement even where factual copying is undisputed—unless the undisputed copying is of the
4 *entire* copyrighted work. *See DC Comics v. Towle*, 802 F.3d 1012, 1026 (9th Cir. 2015). By
5 Cisco’s own account, only a small fraction of any relevant work has been copied—and Cisco has
6 not presented adequate evidence of the complete works for the jury to assess infringement.

7 **1. Cisco has failed to show “virtual identity” of the works as a whole**
8 **(omitting unprotectable elements) as needed to prove illicit copying.**

9 Courts have long acknowledged that factual and functional works are entitled to thinner
10 copyright protection than fictional or other artistic works.¹³ *See Feist*, 499 U.S. at 340; *Harper &*
11 *Row, Publishers, Inc. v. Nation Enters.*, 471 U.S. 539, 563 (1985). Where choices are constrained
12 by limitations inherent in an endeavor, so that the range of possible expression is narrow, a
13 copyright holder is entitled to only “thin” copyright protection. In such cases, infringement
14 requires proof of “virtual identity” between the disputed works (disregarding unprotected
15 elements), rather than the “substantial similarity” required for infringement of a work that
16 receives broad copyright protection. *Apple Computer, Inc. v. Microsoft Corp.*, 35 F.3d 1435,
17 1442–43 (9th Cir. 1994); *see also Mattel, Inc. v. MGA Entm’t, Inc.*, 616 F.3d 904, 915 (9th Cir.
18 2010); *Ets-Hokin v. Skyy Spirits, Inc.*, 323 F.3d 763, 766 (9th Cir. 2003) (“thin” copyright
19 “protects against only virtually identical copying”); 4-13 Nimmer on Copyright § 13.03.

20 Here, the evidence shows that the asserted CLI elements are functional, and chosen from a
21 narrow range of possible expression in this highly technical field. *See supra* Parts II.A-C. To be
22 useful, the Cisco CLI had to select from a limited vocabulary of recognizable industry terms to
23 invoke standard industry protocols and functions—not randomly selected “creative” words. Thus,
24 copyright protection is “thin” and infringement requires “virtual identity” between the disputed
25 works (considering the works as a whole, but disregarding unprotectable elements). *See Apple*,
26 35 F.3d at 1442–43; *Mattel*, 616 F.3d at 914–15 (“thin” protection for fashion doll sculpt); *Data*

27 ¹³ The rules for broad and thin protection differentiate between factual/functional and
28 fictional/creative **literary works**—not textual (“literary”) and non-textual works. *See Landsberg*
v. Scrabble Crossword Game Players, Inc., 736 F.2d 485, 488 (9th Cir. 1984) (Scrabble guide);
Feist, 499 U.S. at 350 (phonebook). No substantial evidence supports broad protection here.

1 *East USA v. Epyx Inc.*, 862 F.2d 204, 209 (9th Cir. 1988) (protection only against “identical
2 copying” for computer karate game); *L.A. Printex Indus., Inc. v. Aeropostale, Inc.*, 676 F.3d 841
3 (9th Cir. 2012) (wide range of expression for textile designs). *See also* ECF 715 at 15-18. But
4 Cisco lacks adequate evidence to meet the virtual identity test, and made no real effort to do so.

5 **2. Cisco lacks sufficient evidence to prove infringement even under the**
6 **substantial identity test for works receiving broad protection.**

7 Even if the substantial similarity standard for infringement were to apply here, Cisco’s
8 claim would fail on this record, because the works as a whole are not “sufficiently similar to
9 support a finding of illicit copying.” *See Apple*, 35 F.3d at 1443. In fact, Arista’s accused copying
10 from Cisco’s command-line interfaces is *de minimis* and not actionable as a matter of law when
11 properly compared to Cisco’s entire works. *VMG Salsoul, LLC v. Ciccone*, 824 F.3d 871, 877
12 (9th Cir. 2016) (*de minimis* rule). There is insufficient evidence to support a contrary finding,
13 given the limited scope of accused copying and the size of the works (whether defined as the
14 interfaces or the operating systems). The doctrines of *scenes a faire* and merger also defeat
15 infringement under either standard.¹⁴

16 **D. The jury lacked sufficient evidence to consider and compare the disputed**
17 **works as a whole—or even to define their scope.**

18 Under express Ninth Circuit law, without adequate evidence of the works as a whole, the
19 jury could not conclude that any alleged copying was actionable as infringement, and its verdict
20 cannot be sustained. “There can be no proof of ‘substantial similarity’ [or virtual identity] and
21 thus of copyright infringement unless [plaintiff’s] works are juxtaposed with [defendant’s] and
22 their contents compared.” *Antonick v. Elec. Arts, Inc.*, 841 F.3d 1062, 1066 (9th Cir. 2016)
23 (affirming defense JMOL after infringement verdict where complete works were not in evidence;
24 citing *Mattel*, 616 F.3d at 913–14). The complete asserted works must be in evidence to support
25 an infringement verdict. *Id.* Here, Cisco failed to put its complete works at issue (or Arista’s

26 ¹⁴ Under Ninth Circuit law, the evidence that supports *scenes a faire* as an affirmative defense
27 necessarily defeats Cisco’s infringement claim. Cisco’s CLI elements are *scenes a faire* (as the
28 jury found), and also merge with their functions or ideas and contain no separable expression. *See*
17 U.S.C. § 102(b); *Apple*, 35 F.3d at 1444; *Mattel*, 616 F.3d at 913. Because merger and *scenes*
a faire are properly part of the infringement analysis itself (negating of Cisco’s proof of
infringement), not affirmative defenses, Cisco’s infringement claim fails as a matter of law. *See*
Ets-Hokin v. Skyy Spirits, Inc., 225 F.3d 1068, 1082 (9th Cir. 2000); *Satava*, 323 F.3d at 807.

1 accused works) into evidence, or even to define its works adequately. Thus, the jury lacked
2 sufficient evidence to compare the works as a whole as required under *Antonick*.¹⁵ *Id.*; see also,
3 e.g., *Apple*, 35 F.3d at 1446 (“Under *Harper House* and *Frybarger*, there can be no infringement
4 unless the works are virtually identical.”).

5 Cisco’s manuals do not evidence its works *as a whole*. There is no substantial evidence
6 that the manuals contain *all* aspects of the operating system user interface, including but not
7 limited to commands, modes and prompts, help descriptions, command responses (as well as all
8 unasserted user interface attributes) for any work. Cisco conceded in argument that manuals do
9 not prove “the totality of what’s implemented in the product.” Tr. at 1899:14-22, 1901:10-15.
10 Likewise, Cisco’s copyright deposits for its 26 registrations (in evidence as TX4803) are not
11 evidence of the complete works. Dan Lang, Cisco’s sponsoring witness, testified that TX4803 is
12 “the materials themselves that were sent to the Copyright Office, along with an index to them.”
13 Tr. (Lang) 1168:15-16. TX 4803 however, does not contain complete source code for any of the
14 registered works. And mere *excerpts* of source code are not evidence of the works as a whole.¹⁶

15 **E. No substantial evidence proves Cisco’s “user interfaces” are copyrighted**
16 **works separate from Cisco’s complete registered operating systems.**

17 Cisco lacks sufficient evidence to prove that its “user interfaces” are separable from its
18 operating systems, as required for them to be independent copyrighted works. Cisco never
19 separately registered its “user interface” apart from its 26 operating system versions, and offered
20 no substantial evidence of any separate existence for its purported “user interface” works. Rather,
21 the record confirms that the interfaces are merely non-literal elements of the operating systems;
22 Cisco does not use, value or even define them separately. *See supra* Part II.A. For a work to be
23 separately asserted, however, it must be one that “‘can live [its] own copyright life’ and ‘has an
24 independent economic value and is, in itself, viable.’” *Monge v. Maya Magazines, Inc.*, 688 F.3d

25 ¹⁵ During trial, the Court asked Cisco to provide a list of the exhibits that constituted Cisco’s
26 works. Tr. 1628. Cisco never did so, even after Arista raised the issue in its Rule 50(a) motion.

27 ¹⁶ In fact, for 18 of the 26 copyright registrations, the index in TX4803 does not refer to any
28 linked materials at all. TX 4803. For seven of the eight registrations that refer to linked materials,
those materials are described as documentation. And for the IOS 12.1, the sole registration that
refers to “source code” as being included in the linked materials, none of those linked materials
actually include any C source code, even though IOS is written in C.

1 1164, 1180 (9th Cir. 2012) (photographs as works) (quoting *Columbia Pictures TV, Inc. v.*
2 *Krypton Broad. of Birmingham, Inc.*, 259 F.3d 1186, 1193 (9th Cir. 2001) (TV show episodes as
3 works)). An amorphous abstraction of a software program like the “interfaces” Cisco asserted
4 here cannot be the “work” at issue. *See NXIVM Corp. v. Ross Inst.*, 364 F.3d 471, 480-81 (2d Cir.
5 2004) (“modules” of a manual not separate works); *see also Sony Computer Entm’t Am., Inc. v*
6 *Bleem, LLC*, 214 F.3d 1022, 1028 (9th Cir. 2000) (video game screen shots “an insignificant
7 portion of the complex copyrighted work as a whole”). Cisco’s user interface has no value or
8 “copyright life” separate from the operating systems and cannot be an independent “work.”

9 Cisco also lacks sufficient evidence that the “user interfaces” asserted here are fixed in a
10 tangible medium of expression, as required by copyright law. 17 U.S.C. § 102(a). Cisco purports
11 to assert an abstract work entirely separated from its operating system’s source code (and
12 consolidated across multiple separate versions of each operating system)—but the interface exists
13 only as a function of the source code (itself fixed in a tangible medium), as a non-literal element
14 manifested by that code. *See Johnson Controls, Inc. v. Phoenix Control Sys., Inc.*, 886 F.2d 1173,
15 1175 (9th Cir. 1989), *overruled on other grounds as stated in Perfect 10 v. Google*, 653 F.3d 976
16 (2011). Without some grounding in source code, there is nothing fixed about Cisco’s asserted
17 works: the commands are entered by users, and the outputs and help strings are fixed in the code.
18 *See supra* Part II.A; Tr. (Lougheed) at 501:24-502:5 (explaining CLI use).

19 **F. Arista’s conduct is fair use as a matter of law.**

20 A reasonable jury must find on this record that Arista’s use of any and all Cisco works is
21 fair use as a matter of law, based on any reasonable application of the relevant factors, both
22 individually and in any combination. The record requires this result based on the defects in proof
23 of original creative expression in the CLI components at issue (see above); the limited portions
24 even allegedly copied; Arista’s highly transformative use of the CLI with revolutionary
25 technology that created a new paradigm and new market; the lack of sufficient evidence of market
26 harm or potential market harm; and the longstanding custom and practice in the industry (and by
27 Cisco) of permitting and promoting others’ use of CLI commands and features. Cisco’s works fall
28 so far on the outer fringes of copyright protection that (even assuming *arguendo* that some

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted,

Dated: January 17, 2017

KEKER & VAN NEST LLP

By: /s/ Robert A. Van Nest
ROBERT A. VAN NEST

Attorneys for Defendant
ARISTA NETWORKS, INC.

Summary Exhibit

Command Expression Copying

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
1.	aaa accounting	aaa accounting		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 206	August 31, 2010 EOS 4.7
2.	aaa accounting dot1x	aaa accounting dot1x		IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 207	July 8, 2013 4.13.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
3.	aaa authentication login	aaa authentication login		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 210	June 15, 2008 2.1.0
4.	aaa authorization config- commands	aaa authorization config- commands		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 214	October 3, 2008 3.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
5.	aaa authorization console	aaa authorization console		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 215	March 17, 2010 4.4.0
6.	aaa group server radius	aaa group server radius		Cisco IOS 12.0 through 15.4; IOS XR 3.2 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 218	May 19, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
7.	aaa group server tacacs+	aaa group server tacacs+		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 219	June 16, 2008 2.1.0
8.	address-family	address-family		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 33, 1617, 1737	Feb. 13, 2012 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
9.	aggregate-address	aggregate-address		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 31, 1428, 1402, 1618	October 16, 2011 4.8.2
10.	area default-cost	area default-cost	OSPFv3	Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1553	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
11.	area default-cost	area default-cost	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1470	April 27, 2009 4.3.0
12.	area nssa	area nssa	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1472	April 27, 2009 4.3.0
13.	area nssa	area nssa	OSPFv3	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1554	September 16, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
14.	area nssa default- information-originate	area nssa default- information-originate	OSPFv2	Cisco IOS 11.0 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1473	April 27, 2009 4.3.0
15.	area nssa default- information-originate	area nssa default- information-originate	OSPFv3	Cisco IOS 11.0 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1555	September 25, 2012 4.11.0
16.	area nssa no-summary	area nssa no-summary	OSPFv2	Cisco IOS 11.0 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1475	February 5, 2013 4.10.6

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
17.	area nssa translate type7 always	area nssa translate type7 always	OSPFv2	Cisco IOS 15.1 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1476	April 15, 2011 4.8.1
18.	area nssa translate type7 always	area nssa translate type7 always	OSPFv3	Cisco IOS 15.1 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1556	September 26, 2012 4.11.0
19.	area range	area range	OSPFv3	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1557	August 17, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
20.	area range	area range	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1477	April 27, 2009 4.3.0
21.	area stub	area stub	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1478	April 27, 2009 4.3.0
22.	area stub	area stub	OSPFv3	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1558	September 13, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
23.	arp timeout	arp timeout		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1315	March 26, 2012 4.10.0
24.	banner login	banner login		Cisco IOS 11.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 280	June 23, 2008 2.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
25.	banner motd	banner motd		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 281	June 23, 2008 2.2.0
26.	bfd all-interfaces	bfd all-interfaces		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1796	February 25, 2013 4.12.3
27.	bgp client-to-client reflection	bgp client-to-client reflection		Cisco IOS 11.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1621	October 31, 2011 4.8.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
28.	bgp cluster-id	bgp cluster-id		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; ; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1622	October 31, 2011 4.8.3
29.	bgp confederation identifier	bgp confederation identifier		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; ; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1623	February 1, 2013 4.11.3
30.	bgp confederation peers	bgp confederation peers		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; ; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1624	February 1, 2013 4.11.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
31.	bgp listen limit	bgp listen limit		Cisco IOS 12.2 through 15.4; ; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1628	May 1, 2011 4.7.4
32.	bgp log-neighbor-changes	bgp log-neighbor-changes		Cisco IOS 11.1 through 15.4; IOS XR 3.0 through 3.5; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1630	November 1, 2009 4.4.0
33.	bgp redistribute-internal	bgp redistribute-internal	BGP	Cisco IOS 12.1 through 15.4; IOS XR 3.0 through 5.2; ; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1631	December 1, 2012 4.12.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
34.	boot system	boot system		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 376	June 1, 2006 2.0.0
35.	channel-group	channel-group		Cisco IOS 11.3 through 15.4; IOS XR 4.3 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 491	January 28, 2008 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
36.	class-map type control-plane	class-map type control-plane		NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1235	January 20, 2012 4.10.0
37.	clear arp-cache	clear arp-cache		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1316	January 26, 2009 4.0.0
38.	clear counters	clear counters		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 670	June 10, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
39.	clear ip arp	clear ip arp		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1317	April 27, 2010 4.5.0
40.	clear ip bgp	clear ip bgp		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1632	January 1, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
41.	clear ip igmp group	clear ip igmp group		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1847	May 24, 2010 4.5.0
42.	clear ip mroute	clear ip mroute		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1814	June 25, 2010 4.5.0
43.	clear ip msdp sa-cache	clear ip msdp sa-cache		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1976	December 3, 2012 4.11.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
44.	clear ip nat translation	clear ip nat translation		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1320	November 20, 2012 4.11.1
45.	clear ip ospf neighbor	clear ip ospf neighbor		Cisco IOS 11.1 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1480	January 8, 2003 4.12.3
46.	clear ipv6 neighbors	clear ipv6 neighbors		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1397	December 29, 2013 4.13.3-13scale

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
47.	clear ipv6 ospf force-spf	clear ipv6 ospf force-spf		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1559	December 20, 2011 4.10.0
48.	clear lldp counters	clear lldp counters		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 625	June 10, 2009 4.2.0
49.	clear lldp table	clear lldp table		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 626	July 7, 2010 4.6.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
50.	clear mac-address-table dynamic	clear mac address-table dynamic		Cisco IOS 12.2 through 15.0; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 672	August 4, 2008 2.3.0
51.	clear spanning-tree counters	clear spanning-tree counters		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1002	December 14, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
52.	clock set	clock set		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 283	May 24, 2007 2.0.0
53.	clock timezone	clock timezone		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 284	May 28, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
54.	control-plane	control-plane		Cisco IOS 12.2 through 15.4; IOS XR 3.5 through 5.2; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 674	August 22, 2009 4.3.0
55.	default-information originate	default-information originate	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1482	August 13, 2012 4.11.0
56.	default-information originate	default-information originate	OSPFv3	Cisco IOS 15.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1560	September 24, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
57.	default-metric	default-metric	OSPFv3	Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1561	September 13, 2011 4.10.0
58.	distance bgp	distance bgp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1638	October 1, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
59.	domain-id	domain-id		Cisco IOS 12.1 through 15.4; IOS XR 3.3 through 5.2; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 558	June 24, 2009 4.3.0
60.	dot1x max-reauth-req	dot1x max-reauth-req		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 589	June 20, 2013 4.13.3
61.	dot1x pae authenticator	dot1x pae authenticator		Cisco IOS 12.4 through 15.4; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 590	July 8, 2013 4.13.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
62.	dot1x port-control	dot1x port-control		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 591	June 20, 2013 4.13.3
63.	dot1x reauthentication	dot1x reauthentication		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 592	June 20, 2013 4.13.3
64.	dot1x system-auth-control	dot1x system-auth-control		Cisco IOS 12.4 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 588	June 20, 2013 4.13.3
65.	dot1x timeout quiet-period	dot1x timeout quiet-period		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 593	June 20, 2013 4.13.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
66.	dot1x timeout reauth-period	dot1x timeout reauth-period		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 594	June 20, 2013 4.13.3
67.	dot1x timeout tx-period	dot1x timeout tx-period		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 595	June 20, 2013 4.13.3
68.	enable secret	enable secret		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 225	October 7, 2005 1.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
69.	erase startup-config	erase startup-config		Cisco IOS 11.0 through 15.4; IOS XE 2.1;	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.15.3F, User Manual, p. 15, 377	January 2006 ¹
70.	errdisable detect cause link- flap	errdisable detect cause link- flap		Cisco IOS 12.2 through 15.4	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 677	September 30, 2010 4.6.0
71.	errdisable recovery cause	errdisable recovery cause		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 679	December 16, 2008 3.1.0

¹ Arista’s response to Interrogatory No. 26 claims that “erase startup-config” is not a command supported by EOS. However, Arista’s response to Interrogatory No. 9 states that this command was implemented in January 2006 by James Lingard. Arista’s user manuals confirm EOS’s use of “erase startup-config” as well. *E.g.*, at CSI-CL1-00007244 at -7291; CSI-CL1-00007473 at -7546; CL1-00006858 at CL1-00006964.

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
72.	errdisable recovery interval	errdisable recovery interval		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 680	December 16, 2008 3.1.0
73.	flowcontrol receive	flowcontrol receive		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 452	May, 19, 2006 2.0.0
74.	flowcontrol send	flowcontrol send		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 453	May, 19, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
75.	interface ethernet	interface ethernet		IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 456	September 22, 2005- November 15, 2005 2.0.0
76.	interface loopback	interface loopback		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 681	May 13, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
77.	interface port-channel	interface port-channel		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 498	January 28, 2008 2.0.0
78.	interface vlan	interface vlan		Cisco IOS 11.3 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 803	April 11, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
79.	ip access-group	ip access-group		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 899	August 22, 2009 4.3.0
80.	ip access-list	ip access-list		Cisco IOS 11.2 through 15.4; IOS XR 3.0 through 3.3; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 900	August 22, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
81.	ip access-list standard	ip access-list standard		Cisco IOS 11.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 901	August 25, 2010 4.6.0
82.	ip address	ip address		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1322	September 22, 2005 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
83.	ip as-path access-list	ip as-path access-list		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 3.3; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1641	September 1, 2010 4.6.0
84.	ip community-list expanded	ip community-list expanded		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1643	September 1, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
85.	ip community-list standard	ip community-list standard		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1644	September 1, 2011 4.8.1
86.	ip dhcp smart-relay	ip dhcp smart-relay		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1326-27	April 24, 2013 4.12.4
87.	ip dhcp smart-relay global	ip dhcp smart-relay global		IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1328	May 1, 2013 4.12.4

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
88.	ip dhcp snooping	ip dhcp snooping		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 1329	June 4, 2013 4.13.0
89.	ip dhcp snooping information option	ip dhcp snooping information option		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1330	June 4, 2013 4.13.0
90.	ip dhcp snooping vlan	ip dhcp snooping vlan		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1331	June 4, 2013 4.13.0
91.	ip domain lookup	ip domain lookup		Cisco IOS 11.0 through 15.4; IOS XR 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 295	July 13, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
92.	ip domain name	ip domain-name		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 296	September 15, 2011 2.0.0
93.	ip extcommunity-list expanded	ip extcommunity-list expanded		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1645	September 1, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
94.	ip extcommunity-list standard	ip extcommunity-list standard		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1646	September 1, 2011 4.8.1
95.	ip helper-address	ip helper-address		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1333	May 5, 2011 4.8.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
96.	ip host	ip host		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 297	July 21, 2011 4.10.0 4.9.4
97.	ip http client source-interface	ip http client source-interface		Cisco IOS 12.4 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 12, 142	April 15, 2011 4.8.1
98.	ip icmp redirect	ip icmp redirect		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1334	October 24, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
99.	ip igmp last-member-query- count	ip igmp last-member-query- count		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1853	April 19, 2010 4.5.0
100.	ip igmp last-member-query- interval	ip igmp last-member-query- interval		Cisco IOS 12.1 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1854	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
101.	ip igmp query-interval	ip igmp query-interval		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1857	April 19, 2010 4.5.0
102.	ip igmp query-max-response- time	ip igmp query-max-response- time		Cisco IOS 11.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1858	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
103.	ip igmp snooping	ip igmp snooping		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1860	August 28, 2008 2.3.0
104.	ip igmp snooping querier	ip igmp snooping querier		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1862	August 28, 2008 2.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
105.	ip igmp snooping vlan	ip igmp snooping vlan		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1875	August 28, 2008 2.3.0
106.	ip igmp snooping vlan immediate-leave	ip igmp snooping vlan immediate-leave		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1876	June 23, 2011 4.7.5

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
107.	ip igmp snooping vlan mrouter	ip igmp snooping vlan mrouter		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1878	August 28, 2008 2.3.0
108.	ip igmp snooping vlan static	ip igmp snooping vlan static		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1891	August 28, 2008 2.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
109.	ip igmp startup-query- interval	ip igmp startup-query- interval		NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1893	April 19, 2010 4.5.0
110.	ip igmp startup-query-count	ip igmp startup-query-count		NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1892	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
111.	ip igmp static-group	ip igmp static-group		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1894	April 19, 2010 4.5.0
112.	ip igmp version	ip igmp version		Cisco IOS 11.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1898	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
113.	ip load-sharing	ip load-sharing		Cisco IOS 11.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1335	March 6, 2009 4.0.0
114.	ip local-proxy-arp	ip local-proxy-arp		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1336	March 14, 2012 4.9.2
115.	ip msdp cache-sa-state	ip msdp cache-sa-state		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1977	February 28, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
116.	ip msdp default-peer	ip msdp default-peer		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1978	August 14, 2012 4.11.0
117.	ip msdp description	ip msdp description		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1979	May 9, 2012 4.11.0
118.	ip msdp group-limit	ip msdp group-limit		NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1980	September 2, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
119.	ip msdp keepalive	ip msdp keepalive		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1981	February 28, 2012 4.11.0
120.	ip msdp mesh-group	ip msdp mesh-group		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1982	February 28, 2012 4.11.0
121.	ip msdp originator-id	ip msdp originator-id		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1983	June 13, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
122.	ip msdp peer	ip msdp peer		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1984	March 19, 2010 4.5.0
123.	ip msdp sa-filter in	ip msdp sa-filter in		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1986	May 9, 2012 4.11.0
124.	ip msdp sa-filter out	ip msdp sa-filter out		Cisco IOS 12.0 through 15.4; IOS XE 3.5;	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1987	May 9, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
125.	ip msdp sa-limit	ip msdp sa-limit		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1988	September 2, 2012 4.11.0
126.	ip msdp shutdown	ip msdp shutdown		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1989	May 9, 2012 4.11.0
127.	ip msdp timer	ip msdp timer		Cisco IOS 12.1 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1990	May 9, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
128.	ip multicast boundary	ip multicast boundary		Cisco IOS 11.1 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1820-21	June 10, 2010 4.5.0
129.	ip multicast-routing	ip multicast-routing		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1823	February 10, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
130.	ip name-server	ip name-server		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 298	September 15, 2007 2.0.0
131.	ip nat pool	ip nat pool		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1338	November 21, 2012 4.11.1
132.	ip nat translation tcp-timeout	ip nat translation tcp-timeout		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1344	January 11, 2013 4.11.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
133.	ip nat translation udp-timeout	ip nat translation udp- timeout		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1345	January 11, 2013 4.11.3
134.	ip ospf authentication	ip ospf authentication		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1484	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
135.	ip ospf authentication-key	ip ospf authentication-key		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1485	April 27, 2009 4.3.0
136.	ip ospf bfd	ip ospf bfd		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1797	February 25, 2013 4.12.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
137.	ip ospf cost	ip ospf cost		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 3.3; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1486	April 27, 2009 4.3.0
138.	ip ospf dead-interval	ip ospf dead-interval		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1487	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
139.	ip ospf hello-interval	ip ospf hello-interval		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1488	April 27, 2009 4.3.0
140.	ip ospf message-digest-key	ip ospf message-digest-key		Cisco IOS 11.0 through 15.4; IOS XR 3.0; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1489	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
141.	ip ospf name-lookup	ip ospf name-lookup		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1490	May 27, 2009 4.3.0
142.	ip ospf network	ip ospf network		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p.	March 3, 2011 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
143.	ip ospf priority	ip ospf priority		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1492	April 27, 2009 4.3.0
144.	ip ospf retransmit-interval	ip ospf retransmit-interval		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1493	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
145.	ip ospf shutdown	ip ospf shutdown		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1494	April 27, 2009 4.3.0
146.	ip ospf transmit-delay	ip ospf transmit-delay		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1495	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
147.	ip pim anycast-rp	ip pim anycast-rp		NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1934	March 25, 2010 4.5.0
148.	ip pim bfd	ip pim bfd		Cisco IOS 15.4; NX-OS 5.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1798	February 25, 2013 4.12.3
149.	ip pim bfd-instance	ip pim bfd-instance		NX-OS 5.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1799	February 25, 2013 4.12.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
150.	ip pim bsr-border	ip pim bsr-border		Cisco IOS 11.3 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1936	February 28, 2012 4.9.2
151.	ip pim bsr-candidate	ip pim bsr-candidate		Cisco IOS 11.3 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1937	February 28, 2012 4.9.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
152.	ip pim dr-priority	ip pim dr-priority		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1940	March 19, 2010 4.5.0
153.	ip pim log-neighbor-changes	ip pim log-neighbor-changes		Cisco IOS 12.4 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1942	November 1, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
154.	ip pim neighbor-filter	ip pim neighbor-filter		Cisco IOS 11.3 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1943	October 26, 2010 4.6.0
155.	ip pim query-interval	ip pim query-interval		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5;	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1944	March 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
156.	ip pim register-source	ip pim register-source		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1945	October 30, 2011 4.9.0
157.	ip pim rp-address	ip pim rp-address		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p., EOS v. 4.15.3F, User Manual, p. 36, 1946	March 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
158.	ip pim rp-candidate	ip pim rp-candidate		Cisco IOS 11.3 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1947-48	February 28, 2012 4.9.2
159.	ip pim sparse-mode	ip pim sparse-mode		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1949	March 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
160.	ip pim spt-threshold	ip pim spt-threshold		Cisco IOS 11.1 through 15.4; IOS XR 3.0; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1951	April 5, 2010 4.5.0
161.	ip pim spt-threshold group-list	ip pim spt-threshold group-list		Cisco IOS 11.1 through 15.4	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1952	March 14, 2012 4.13.3
162.	ip pim ssm range	ip pim ssm range		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1953	July 7, 2011 4.8.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
163.	ip prefix-list	ip prefix-list		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 3.3; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 902	September 1, 2010 4.6.0
164.	ip protocol	ip protocol (Monitor Reachability Probe Transmitter)		Cisco IOS 12.0 through 15.4	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 39, 2133	November 24, 2012 4.13.0
165.	ip proxy-arp	ip proxy-arp		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1346	September 22, 2005 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
166.	ip radius source-interface	ip radius source-interface		Cisco IOS 11.3 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 226	March 28, 2011 4.9.3
167.	ip rip v2-broadcast	ip rip v2-broadcast		Cisco IOS 12.1 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1720	June 1, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
168.	ip route	ip route		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1347-48	September 22, 2005 2.0.0
169.	ip routing	ip routing		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1349	September 22, 2005 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
170.	ip tacacs source-interface	ip tacacs source-interface		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 227	January 17, 2011 4.7.0
171.	ipv6 access-list	ipv6 access-list		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 904	May 22, 2012 4.10.1
172.	ipv6 address	ipv6 address		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1398	January 1, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
173.	ipv6 dhcp relay destination	ipv6 dhcp relay destination		Cisco IOS 12.4 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1400	April 5, 2012 4.11.0
174.	ipv6 enable	ipv6 enable		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1401	January 1, 2010 4.4.0
175.	ipv6 host	ipv6 host		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 299	July 1, 2011 4.10.0 4.9.4

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
176.	ipv6 access-group	ipv6 access-group		Cisco IOS 12.4 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 903	May 22, 2012 4.10.1
177.	ipv6 nd managed-config-flag	ipv6 nd managed-config-flag		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1406	August 1, 2011 4.9.0
178.	ipv6 nd ns-interval	ipv6 nd ns-interval		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1407	August 1, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
179.	ipv6 nd other-config-flag	ipv6 nd other-config-flag		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1408	August 1, 2011 4.9.0
180.	ipv6 nd prefix	ipv6 nd prefix		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 5.2 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1409	September 1, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
181.	ipv6 nd ra interval	ipv6 nd ra interval		Cisco IOS 12.4 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1415	August 1, 2011 4.9.0
182.	ipv6 nd ra lifetime	ipv6 nd ra lifetime		Cisco IOS 12.4 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1416	August 1, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
183.	ipv6 nd ra suppress	ipv6 nd ra suppress		Cisco IOS 12.4 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1418	August 1, 2011 4.9.0
184.	ipv6 nd reachable-time	ipv6 nd reachable-time		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1419	August 1, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
185.	ipv6 nd router-preference	ipv6 nd router-preference		Cisco IOS 12.4 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1420	August 1, 2011 4.9.0
186.	ipv6 neighbor	ipv6 neighbor		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1421	December 29, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
187.	ipv6 ospf area	ipv6 ospf area		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1563	June 21, 2011 4.9.0
188.	ipv6 ospf cost	ipv6 ospf cost		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1564	September 13, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
189.	ipv6 ospf dead-interval	ipv6 ospf dead-interval		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1565	September 13, 2011 4.10.0
190.	ipv6 ospf hello-interval	ipv6 ospf hello-interval		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1566	September 13, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
191.	ipv6 ospf network	ipv6 ospf network		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1567	September 13, 2011 4.10.0
192.	ipv6 ospf priority	ipv6 ospf priority		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1568	June 21, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
193.	ipv6 ospf retransmit-interval	ipv6 ospf retransmit-interval		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1569	September 13, 2011 4.10.0
194.	ipv6 ospf transmit-delay	ipv6 ospf transmit-delay		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1570	September 13, 2011 4.10.0
195.	ipv6 prefix-list	ipv6 prefix-list		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 906	January 5, 2012 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
196.	ipv6 route	ipv6 route		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1423	April 1, 2010 4.5.0
197.	ipv6 router ospf	ipv6 router ospf		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1571	June 21, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
198.	ipv6 unicast-routing	ipv6 unicast-routing		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1425	April 1, 2010 4.5.0
199.	isis hello-interval	isis hello-interval		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1739	November 21, 2012 4.11.2
200.	isis hello-multiplier	isis hello-multiplier		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1740	November 21, 2012 4.11.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
201.	isis lsp-interval	isis lsp-interval		Cisco IOS 11.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1741	December 26, 2012 4.11.2
202.	isis metric	isis metric		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1742	November 12, 2012 4.11.2
203.	isis passive	isis passive		NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1744	June 3, 2013 4.13.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
204.	isis passive interface	passive-interface	IS-IS	NX-OS 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1749	June 2013
205.	isis priority	isis priority		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1745	November 12, 2012 4.11.2
206.	is-type	is-type		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1746	September 12, 2012 4.11.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
207.	lacp port-priority	lacp port-priority		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 499	April 18, 2008 2.1.0
208.	lacp rate	lacp rate		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 500	April 18, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
209.	lacp system-priority	lacp system-priority		Cisco IOS 12.1 through 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 501	April 18, 2008 2.1.0
210.	link state group	link state group		Cisco IOS 15.1 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 683	July 19, 2011 4.10.1
211.	link state track	link state track		Cisco IOS 15.1 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 684	July 19, 2011 4.10.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
212.	lldp holdtime	lldp holdtime		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 627	March 31, 2009 4.2.0
213.	lldp receive	lldp receive		Cisco IOS 12.2 through 15.4; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 630	March 31, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
214.	lldp reinit	lldp reinit		Cisco IOS 12.2 through 15.4; IOS XR 5.2; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 631	March 31, 2009 4.2.0
215.	lldp run	lldp run		Cisco IOS 12.2 through 15.4	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 632	March 31, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
216.	lldp timer	lldp timer		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 633	March 31, 2009 4.2.0
217.	lldp tlv-select	lldp tlv-select		Cisco IOS 12.2 through 15.4; IOS XR 5.2; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 634	March 31, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
218.	lldp transmit	lldp transmit		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 635	March 31, 2009 4.2.0
219.	load interval	load interval		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 5.2 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 686	June 27, 2008 3.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
220.	log-adjacency-changes	log-adjacency-changes	OSPFv2	Cisco IOS 12.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 5.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1496	May 21, 2010 4.5.0
221.	log-adjacency-changes	log-adjacency-changes	IS-IS	IOS XR 3.0 through 5.2; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1747	November 6, 2012 4.11.2
222.	log-adjacency-changes	log-adjacency-changes	OSPFv3	Cisco IOS 15.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1572	September 13, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
223.	logging host	logging host		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 12, 147	February 10, 2006 2.0.0
224.	mac access-group	mac access-group		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 907	April 19, 2010 4.5.0
225.	mac access-list	mac access-list		NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 908	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
226.	mac address-table aging-time	mac address-table aging-time		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 687	February 2, 1006 2.0.0
227.	mac address-table static	mac address-table static		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 688	February 13, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
228.	mac-address	mac-address		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 459	September 22, 2005 2.0.0
229.	maximum-paths	maximum-paths	OSPF	Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 4.15.3F	March 7, 2011 4.6.3
230.	maximum-paths	maximum-paths	OSPFv3	Cisco IOS 15.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1574	December 15, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
231.	neighbor activate	neighbor activate		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1648	February 13, 2012 4.10.0
232.	neighbor allowas-in	neighbor allowas-in		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1649	February 22, 2012 4.10.0
233.	neighbor default-originate	neighbor default-originate		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1650	July 25, 2013 4.13.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
234.	neighbor description	neighbor description		Cisco IOS 11.3 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1651	February 10, 2011 4.7.0
235.	neighbor ebgp-multihop	neighbor ebgp-multihop		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1652	March 2, 2011 4.7.0
236.	neighbor fall-over bfd	neighbor fall-over bfd		Cisco IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1800	February 25, 2013 4.12.3

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
237.	neighbor local-as	neighbor local-as		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1656	September 24, 2010 4.6.0
238.	neighbor next-hop-self	neighbor next-hop-self		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1660	November 10, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
239.	neighbor password	neighbor password		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1662	October 6, 2010 4.6.0
240.	neighbor peer-group	neighbor peer-group	assigning members (C) neighbor assignment (A)	Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1665	December 19, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
241.	neighbor peer-group	neighbor peer-group	creating (C) create (A)	Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1663-34	May 24, 2011 4.7.4
242.	neighbor remote-as	neighbor remote-as		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1666	November 17, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
243.	neighbor remove-private-as	neighbor remove-private-as		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1667	May 9, 2011 4.8.1
244.	neighbor route-map	neighbor route-map	BGP	Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1668	September 7, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
245.	neighbor route-reflector- client	neighbor route-reflector- client		Cisco IOS 11.1 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1669	October 31, 2011 4.8.3
246.	neighbor send-community	neighbor send-community		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1670	September 7, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
247.	neighbor shutdown	neighbor shutdown		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1671	February 1, 2011 4.7.0
248.	neighbor soft-reconfiguration	neighbor soft-reconfiguration		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1672	November 11, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
249.	neighbor timers	neighbor timers		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1673	September 24, 2010 4.6.0
250.	neighbor transport connection-mode	neighbor transport connection-mode		Cisco IOS 12.4 through 15.4	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 32, 1674	September 20, 2012 4.11.0
251.	neighbor update-source	neighbor update-source		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 32, 1675	March 2, 2011 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
252.	neighbor weight	neighbor weight		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 32, 1676	August 8, 2012 4.10.2
253.	network area	network area	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XR 3.0; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 29, 1500	April 27, 2009 4.3.0
254.	no snmp-server	no snmp-server		Cisco IOS 11.0 through 15.4; IOS XR 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 37, 2026	February 13, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
255.	ntp authenticate	ntp authenticate		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 300	December 17, 2012 4.12.3
256.	ntp authentication-key	ntp authentication-key		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 301	October 30, 2012 4.12.3
257.	ntp server	ntp server		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 304	May 7, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
258.	ntp source	ntp source		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 306	August 31, 2010 4.6.2
259.	ntp trusted-key	ntp trusted-key		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 307	October 30, 2012 4.12.3
260.	passive-interface	passive-interface <interface>	OSPFv2	Cisco IOS 11.0 through 15.4; NX-OS 5.2 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 29, 1503	June 1, 2009 4.3.0 (OSPFv3)

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
261.	passive-interface	passive-interface	OSPFv3	Cisco IOS 15.1 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 30, 1576	September 13, 2011 4.10.0
262.	passive-interface default	passive-interface default	OSPFv2	Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 29, 1502	March 2, 2012 4.10.0
263.	policy-map type control- plane	policy-map type control- plane		NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 26, 1248	January 20, 2012 4.10.0-SSO

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
264.	policy-map type qos	policy-map type qos		IOS XR 5.2; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 26, 1250	July 8, 2012 4.11.0
265.	port-channel load-balance	port-channel load-balance		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 17, 508	April 18, 2008 2.1.0
266.	port-channel min-links	port-channel min-links		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 17, 517	June 9, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
267.	ptp priority1	ptp priority1	PTP	Cisco IOS 15.0 through 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 321	March 15, 2012 4.10.1
268.	ptp priority2	ptp priority2	PTP	Cisco IOS 15.0 through 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 322	March 15, 2012 4.10.1
269.	priority-flow-control mode	priority-flow-control mode		NX-OS 5.2 through 6.2	EOS v. 4.4.0, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 18, 608	January 27, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
270.	private-vlan	private-vlan		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 21, 806	November 8, 2011 4.9.0
271.	private-vlan mapping	private-vlan mapping		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 21, 807	December 7, 2011 4.9.0
272.	ptp domain	ptp domain		NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 314	March 20, 2012 4.10.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
273.	ptp sync interval	ptp sync interval		NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 14, 324	March 15, 2012 4.10.1
274.	radius-server deadline	radius-server deadline		Cisco IOS 11.1 through 15.4; IOS XR 3.3 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 230	June 5, 2009 4.2.0
275.	radius-server host	radius-server host		Cisco IOS 11.1 through 15.4; IOS XR 4.3 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 231	May 19, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
276.	radius-server key	radius-server key		Cisco IOS 11.1 through 15.4; IOS XR 3.2 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 233	May 19, 2009 4.2.0
277.	radius-server retransmit	radius-server retransmit		Cisco IOS 11.1 through 15.4; IOS XR 3.2 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 234	May 29, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
278.	radius-server timeout	radius-server timeout		Cisco IOS 11.1 through 15.4; IOS XR 3.2 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 235	May 19, 2009 4.2.0
279.	redundancy force-switchover	redundancy force-switchover		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 15, 380	March 29, 2006 2.2.0
280.	route-map	route-map		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 3.3; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 22, 922	August 4, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
281.	router bgp	router bgp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 32, 1681	November 17, 2009 4.4.0
282.	router isis	router isis		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 33, 1751	September 7, 2012 4.11.2
283.	router ospf	router ospf		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 29, 1507	April 27, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
284.	router rip	router rip		Cisco IOS 11.0 through 15.4; IOS XR 3.3 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 33, 1723	June 12, 2011 4.8.1
285.	router-id	router-id	OSPFv2	Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 29, 1506	April 27, 2009 4.3.0
286.	router-id	router-id	OSPFv3	Cisco IOS 15.1 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 30, 1578	June 21, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
287.	routing-context vrf	routing-context vrf		Cisco IOS 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 27, 1354	July 6, 2012 4.11.0
288.	service sequence-numbers	service sequence-numbers		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 15, 384	September 17, 2005 1.0.0
289.	set-overload-bit	set-overload-bit		Cisco IOS 11.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 33, 1752	November 18, 2012 4.11.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
290.	show aaa method-lists	show aaa method-lists		Cisco IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 242	August 4, 2008 2.2.0
291.	show aaa sessions	show aaa sessions		Cisco IOS 15.2 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 13, 243	November 12, 2008 3.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
292.	show arp	show arp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 27, 1355	October 22, 2007 2.0.0
293.	show bfd neighbors	show bfd neighbors		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 34, 1801	February 25, 2013 4.12.3
294.	show clock	show clock		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 15, 329	May 1, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
295.	show dot1q-tunnel	show dot1q-tunnel		Cisco IOS 12.2 through 15.4; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 21, 808	July 7, 2009 4.3.0
296.	show dot1x	show dot1x		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 18, 596	
297.	show dot1x all summary	show dot1x all summary		Cisco IOS 12.1 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 18, 598	August 13, 2013 4.13.3
298.	show dot1x statistics	show dot1x statistics		Cisco IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 18, 597	

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
299.	show environment all	show environment all		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 16, 425	October 1, 2007 2.0.0
300.	show environment cooling	show environment cooling		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.3F, User Manual, p. 16, 426	January 5, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
301.	show environment power	show environment power		IOS XR 3.0 through 5.2; NX-OS 5.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 427	April 24, 2007 2.0.0
302.	show environment temperature	show environment temperature		Cisco IOS 11.2 through 12.1; IOS XR 3.0 through 5.2; IOS XE 2.1	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 428	January 5, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
303.	show etherchannel	show etherchannel		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 518	October 8, 2010 4.7.0
304.	show hostname	show hostname		NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 336	July 18, 2013 4.13.0
305.	show hosts	show hosts		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 337	July 21, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
306.	show interfaces	show interfaces		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 706	September 22, 2005 2.0.0
307.	show interfaces capabilities	show interfaces capabilities		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 462	May 19, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
308.	show interfaces description	show interfaces description		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 708	March 9, 2006 2.0.0
309.	show interfaces flowcontrol	show flowcontrol		IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 460	May 19, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
310.	show interfaces private-vlan mapping	show interfaces private-vlan mapping		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 809	December 7, 2011 4.9.0
311.	show interfaces status	show interfaces status		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 471	May 19, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
312.	show interfaces switchport	show interfaces switchport		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 810	February 9, 2006 2.0.0
313.	show interfaces switchport backup	show interfaces switchport backup		Cisco IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 811	June 4, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
314.	show interfaces transceiver	show interfaces transceiver		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 16, 473	February 24, 2011 4.7.0
315.	show interfaces trunk	show interfaces trunk		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 812	September 16, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
316.	show inventory	show inventory		Cisco IOS 12.4 through 15.4; IOS XR 3.3 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 11, 75	September 13, 2007 2.0.0
317.	show ip access-lists	show ip access-lists		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 930	August 22, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
318.	show ip arp	show ip arp		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1358	October 22, 2007 2.0.0
319.	show ip bgp	show ip bgp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 3.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1684	December 16, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
320.	show ip bgp community	show ip bgp community		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1685	December 20, 2011 4.9.0
321.	show ip bgp neighbors	show ip bgp neighbors	route type	Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1688	December 16, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
322.	show ip bgp neighbors	show ip bgp neighbors		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1686	December 16, 2009 4.4.0
323.	show ip bgp paths	show ip bgp paths		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1692	December 16, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
324.	show ip bgp peer-group	show ip bgp peer-group		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1693	June 23, 2011 4.7.4
325.	show ip bgp regexp	show ip bgp regexp		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1694	June 26, 2013 4.13.0
326.	show ip bgp summary	show ip bgp summary		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1695	December 21, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
327.	show ip community-list	show ip community-list		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1696	September 7, 2011 4.8.1
328.	show ip dhcp snooping	show ip dhcp snooping		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1362	June 4, 2013 4.13.0
329.	show ip extcommunity-list	show ip extcommunity-list		Cisco IOS 12.1 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1697	September 7, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
330.	show ip helper-address	show ip helper-address		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1365	May 5, 2011 4.8.2
331.	show ip igmp groups	show ip igmp groups		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1901	April 26, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
332.	show ip igmp interface	show ip igmp interface		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1904	April 19, 2010 4.5.0
333.	show ip igmp snooping	show ip igmp snooping		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1907	August 28, 2008 2.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
334.	show ip igmp snooping groups	show ip igmp snooping groups		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1910	August 28, 2008 2.3.0
335.	show ip igmp snooping mrouter	show ip igmp snooping mrouter		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 35, 1914	August 28, 2008 2.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
336.	show ip igmp snooping querier	show ip igmp snooping querier		Cisco IOS 12.4 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1915	August 28, 2008 2.3.0
337.	show ip interface	show ip interface		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1366	September 22, 2005 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
338.	show ip interface brief	show ip interface brief		Cisco IOS 12.4 through 15.4; IOS XR 3.4 through 5.2; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1367	February 26, 2009 4.0.0
339.	show ip mfib	show ip mfib		Cisco IOS 15.0 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1824	March 31, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
340.	show ip mroute	show ip mroute		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1826	March 20, 2010 4.5.0
341.	show ip mroute count	show ip mroute count		Cisco IOS 11.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 34, 1827	November 16, 2010 4.6.0
342.	show ip msdp mesh-group	show ip msdp mesh-group		NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1991	July 30, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
343.	show ip msdp peer	show ip msdp peer		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1992	March 20, 2010 4.11.0
344.	show ip msdp rpf-peer	show ip msdp rpf-peer		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1994	August 30, 2012 4.11.0
345.	show ip msdp sa-cache	show ip msdp sa-cache		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1995	March 20, 2010 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
346.	show ip msdp summary	show ip msdp summary		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1997	December 29, 2012 4.12.0
347.	show ip nat translations	show ip nat translations		Cisco IOS 11.2 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 27, 1370	June 19, 2012 4.10.0-7150
348.	show ip ospf	show ip ospf		Cisco IOS 11.0 through 15.4; IOS XR 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1508	May 26, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
349.	show ip ospf border-routers	show ip ospf border-routers		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1510	May 24, 2010 4.5.0
350.	show ip ospf database database-summary	show ip ospf database database-summary		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1511	July 16, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
351.	show ip ospf interface	show ip ospf interface		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1516	May 26, 2009 4.3.0
352.	show ip ospf neighbor	show ip ospf neighbor		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1519	May 26, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
353.	show ip ospf request-list	show ip ospf request-list		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1523	May 24, 2010 4.5.0
354.	show ip ospf retransmission- list	show ip ospf retransmission- list		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1524	May 24, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
355.	show ip pim interface	show ip pim interface		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1956	March 20, 2010 4.5.0
356.	show ip pim neighbor	show ip pim neighbor		Cisco IOS 11.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1957	March 20, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
357.	show ip pim rp	show ip pim rp		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1960	March 20, 2010 4.5.0
358.	show ip pim rp-hash	show ip pim rp-hash		Cisco IOS 11.3 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 36, 1962	October 24, 2013 4.14.0
359.	show ip prefix-list	show ip prefix-list		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 931	September 26, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
360.	show ip rip database	show ip rip database		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1724	June 17, 2011 4.8.1
361.	show ip rip neighbors	show ip rip neighbors		Cisco IOS 15.1 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1725	January 31, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
362.	show ip route	show ip route		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 1371	September 22, 2005 2.0.0
363.	show ip route summary	show ip route summary		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1376	August 15, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
364.	show ip route tag	show ip route tag		Cisco IOS 15.2 through 15.4	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1377	August 28, 2011 4.8.1
365.	show ipv6 access-list	show ipv6 access-list		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 932	May 22, 2012 4.10.1
366.	show ipv6 bgp	show ipv6 bgp		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1698	December 8, 2011 4.10.0-SSO

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
367.	show ipv6 bgp community	show ipv6 bgp community		Cisco IOS 12.2; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1699	February 27, 2012 4.10.0-SSO
368.	show ipv6 bgp neighbors	show ipv6 bgp neighbors		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1700	February 14, 2012 4.10.0-SSO

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
369.	show ipv6 bgp summary	show ipv6 bgp summary		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1706	March 27, 2012 4.10.0-SSO
370.	show ipv6 interface	show ipv6 interface		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1430	January 7, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
371.	show ipv6 neighbors	show ipv6 neighbors		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1432	December 29, 2011 4.10.0-SSO
372.	show ipv6 ospf	show ipv6 ospf		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1579	June 21, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
373.	show ipv6 ospf border- routers	show ipv6 ospf border- routers		Cisco IOS 12.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1580	June 21, 2011 4.9.0
374.	show ipv6 ospf interface	show ipv6 ospf interface		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1590	June 21, 2011 4.9.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
375.	show ipv6 ospf neighbor	show ipv6 ospf neighbor		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 31, 1591	June 21, 2011 4.9.0
376.	show ipv6 prefix-list	show ipv6 prefix-list		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 933	January 5, 2012 4.10.0-SSO
377.	show ipv6 route	show ipv6 route		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1433	April 9, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
378.	show ipv6 route summary	show ipv6 route summary		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 5.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1437	September 27, 2012 4.12.0
379.	show ipv6 route tag	show ipv6 route tag		Cisco IOS 15.2 through 15.4	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 29, 1438	August 29, 2011 4.8.1
380.	show isis database	show isis database		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1753	September 26, 2012 4.11.2

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
381.	show isis interface	show isis interface		IOS XR 3.0 through 5.2; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1755	October 24, 2012 4.11.2
382.	show isis topology	show isis topology		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1760	May 30, 2013 4.13.0
383.	show lacp counters	show lacp counters		IOS XR 3.2 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 520	April 30, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
384.	show lacp interface	show lacp interface		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 521	April 30, 2008 2.1.0
385.	show lacp neighbor	show lacp neighbor		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 524	April 30, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
386.	show link state group	show link state group		Cisco IOS 15.1 through 15.4; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 709	July 19, 2011 4.10.1
387.	show lldp	show lldp		Cisco IOS 12.2 through 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 636	April 3, 2009 4.2.0
388.	show lldp neighbors	show lldp neighbors		Cisco IOS 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 639	April 3, 2009 4.2.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
389.	show lldp traffic	show lldp traffic		Cisco IOS 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 5.0 through 6.2	EOS v. 4.4.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 18, 641	April 3, 2009 4.2.0
390.	show mac access-list	show mac access-list		Cisco IOS 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 934	April 19, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
391.	show mac address-table	show mac address-table		Cisco IOS 11.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 710	February 2, 2006 2.0.0
392.	show mac address-table aging time	show mac address-table aging time		Cisco IOS 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 712	February 2, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
393.	show mac address-table count	show mac address-table count		IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 713	February 2, 2006 2.0.0
394.	show module	show module		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 12, 167	March 9, 2006 2.0.0
395.	show monitor session	show monitor session		Cisco IOS 12.2 through 15.0; IOS XR 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 721	September 23, 2008 3.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
396.	show ntp associations	show ntp associations		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 340	May 8, 2007 2.0.0
397.	show ntp status	show ntp status		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 5.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 341	May 8, 2007 2.0.0
398.	show policy-map control-plane	show policy-map type control-plane		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1273	January 20, 2012 4.10.0-SSO

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
399.	show policy-map interface	show policy-map interface type qos		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.11.1.2, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1278	January 20, 2012 4.10.0-SSO
400.	show policy-map interface control-plane	show policy-map interface control-plane		NX-OS 5.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 26, 1277	January 20, 2012 4.10.0-SSO
401.	show port-channel summary	show port-channel summary		NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 532	June 28, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
402.	show port-channel traffic	show port-channel traffic		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 17, 533	December 20, 2010 4.7.0
403.	show port-security	show port-security		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 722	March 23, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
404.	show port-security address	show port-security address		Cisco IOS 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 19, 723	March 23, 2010 4.4.0
405.	show port-security interface	show port-security interface		IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 724	March 23, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
406.	show privilege	show privilege		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 244	October 6, 2008 3.0.0
407.	show ptp clock	show ptp clock		NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 343	March 20, 2012 4.11.0
408.	show ptp parent	show ptp parent		NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 347	September 6, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
409.	show ptp time-property	show ptp time-property		NX-OS 5.2 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 349	September 10, 2012 4.11.0
410.	show radius	show radius		IOS XR 3.2 through 5.2; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 245	May 19, 2009 4.2.0
411.	show redundancy states	show redundancy states		Cisco IOS 12.2 through 15.4; IOS XR 5.2; IOS XE 3.5	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 386	March 29, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
412.	show reload	show reload		Cisco IOS 11.0 through 15.4; IOS XE 2.1	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 15, 388	May 29, 2009 4.2.0
413.	show role	show role		NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 246	July 30, 2012 4.11.2
414.	show route-map	show route-map		Cisco IOS 11.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 935	August 4, 2010 4.6.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
415.	show snmp	show snmp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2027	December 24, 2007 2.1.0
416.	show snmp chassis	show snmp chassis		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2028	January 4, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
417.	show snmp community	show snmp community		Cisco IOS 12.4 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2029	January 29, 2008 2.1.0
418.	show snmp contact	show snmp contact		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2030	December 24, 2007 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
419.	show snmp engineID	show snmp engineID		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2031	January 29, 2008 2.1.0
420.	show snmp group	show snmp group		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2032	January 29, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
421.	show snmp host	show snmp host		Cisco IOS 12.4 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2033	January 29, 2008 2.1.0
422.	show snmp location	show snmp location		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2034	December 24, 2007 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
423.	show snmp mib	show snmp mib		Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2035	July 26, 2013 4.10.7
424.	show snmp source-interface	show snmp source-interface		NX-OS 5.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2036	December 27, 2012 4.12.0
425.	show snmp trap	show snmp trap		NX-OS 4.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2037	June 25, 2012 4.11.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
426.	show snmp user	show snmp user		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2038	January 29, 2008 2.1.0
427.	show snmp view	show snmp view		Cisco IOS 12.4 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2039	January 29, 2008

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
428.	show spanning-tree	show spanning-tree		Cisco IOS 12.0 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1010	August 20, 2007 2.0.0
429.	show spanning-tree blockedports	show spanning-tree blockedports		NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1013	December 7, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
430.	show spanning-tree bridge	show spanning-tree bridge		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1014	August 20, 2007 2.0.0
431.	show spanning-tree interface	show spanning-tree interface		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1016	August 20, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
432.	show spanning-tree mst	show spanning-tree mst		Cisco IOS 12.2 through 15.4; IOS XR 4.3 through 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1017	August 20, 2007 2.0.0
433.	show spanning-tree mst configuration	show spanning-tree mst configuration		Cisco IOS 15.4; IOS XR 4.3 through 5.2; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1019	December 7, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
434.	show spanning-tree mst interface	show spanning-tree mst interface		IOS XR 4.3 through 5.2; NX-OS 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1020	August 20, 2007 2.0.0
435.	show spanning-tree root	show spanning-tree root		NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1022	August 20, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
436.	show storm-control	show storm-control		Cisco IOS 12.2 through 15.4; IOS XE 3.5	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 725	July 30, 2010 4.6.0
437.	show tacacs	show tacacs		Cisco IOS 11.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 247	June 4, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
438.	show track	show track		Cisco IOS 12.2 through 15.4; IOS XR 4.3 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 727	December 28, 2011 4.10.0-SSO
439.	show user-account	show user-account		NX-OS 4.0 through 6.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 248	October 29, 2010 4.7.0
440.	show version	show version		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 12, 172	December 12, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
441.	show vlan	show vlan		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 814	February 7, 2006 2.0.0
442.	show vlan private-vlan	show vlan private-vlan		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 818	November 8, 2011 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
443.	show vlan summary	show vlan summary		NX-OS 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 819	April 5, 2006 2.0.0
444.	show vrf	show vrf		Cisco IOS 12.2 through 15.4; IOS XR 3.5 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1380	August 30, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
445.	show vrrp	show vrrp		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 961	February 15, 2010 4.4.0
446.	snmp trap link-status	snmp trap link-status		Cisco IOS 11.0 through 15.4; IOS XR 5.2; IOS XE 2.1 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2055	November 7, 2009 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
447.	snmp-server chassis-id	snmp-server chassis-id		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2040	January 4, 2008 2.1.0
448.	snmp-server community	snmp-server community		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2041	December 24, 2007 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
449.	snmp-server contact	snmp-server contact		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2042	December 24, 2007 2.1.0
450.	snmp-server enable traps	snmp-server enable traps		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2043	December 1, 2010 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
451.	snmp-server engineID local	snmp-server engineID local		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2044	January 18, 2008 2.1.0
452.	snmp-server engineID remote	snmp-server engineID remote		Cisco IOS 12.1 through 15.4; IOS XR 4.3 through 3.5	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 37, 2045	February 27, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
453.	snmp-server group	snmp-server group		Cisco IOS 11.3 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2047	January 15, 2008 2.1.0
454.	snmp-server host	snmp-server host		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2048	January 15, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
455.	snmp-server location	snmp-server location		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2050	December 24, 2007 2.1.0
456.	snmp-server source-interface	snmp-server source-interface		Cisco IOS 12.2 through 15.4; IOS XE 2.1; NX-OS 5.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2051	January 4, 2011 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
457.	snmp-server user	snmp-server user		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2052	January 10, 2008 2.1.0
458.	snmp-server view	snmp-server view		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 38, 2053	January 4, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
459.	spanning-tree bpdudfilter	spanning-tree bpdudfilter		Cisco IOS 12.2 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1024	October 13, 2009 4.3.0
460.	spanning-tree bpduguard	spanning-tree bpduguard		Cisco IOS 12.2; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 1025	December 18, 2008 3.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
461.	spanning-tree bridge assurance	spanning-tree bridge assurance		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1030	August 6, 2010 4.6.0
462.	spanning-tree cost	spanning-tree cost		Cisco IOS 12.0 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1031	August 20, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
463.	spanning-tree guard	spanning-tree guard		Cisco IOS 12.2; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1033	July 7, 2010 4.6.0
464.	spanning-tree link-type	spanning-tree link-type		Cisco IOS 12.2; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1035	August 20, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
465.	spanning-tree loopguard default	spanning-tree loopguard default		Cisco IOS 12.2; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1036	August 10, 2010 4.6.0
466.	spanning-tree mode	spanning-tree mode		Cisco IOS 12.2 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1039	August 13, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
467.	spanning-tree mst configuration	spanning-tree mst configuration		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1040	April 6, 2009 4.1.0
468.	spanning-tree portfast bpduguard default	spanning-tree portfast bpduguard default		Cisco IOS 12.2	EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1044	November 7, 2011 4.9.0
469.	spanning-tree portfast bpduguard default	spanning-tree portfast bpduguard default		Cisco IOS 12.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1045	December 18, 2008 3.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
470.	spanning-tree port-priority	spanning-tree port-priority		Cisco IOS 12.0 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1047	December 7, 2007 2.0.0
471.	spanning-tree transmit hold- count	spanning-tree transmit hold- count		Cisco IOS 12.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1050	August 20, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
472.	spanning-tree vlan	spanning-tree vlan		Cisco IOS 12.0 through 15.4; IOS XE 2.1; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1051	March 5, 2009 2.0.0
473.	spf-interval	spf-interval		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1762	December 26, 2012 4.11.2
474.	statistics per-entry	statistics per-entry	ACL configurati on modes	NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 22, 936	July 21, 2011 4.8.1

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
475.	storm-control	storm-control		Cisco IOS 12.2 through 15.4; IOS XR 4.3 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 729	July 30, 2010 4.6.0
476.	switchport access vlan	switchport access vlan		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 822	February 7, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
477.	switchport backup interface	switchport backup interface		Cisco IOS 12.2 through 15.4	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 24, 1052	June 4, 2008 2.1.0
478.	switchport mode	switchport mode		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 823	February 9, 2006 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
479.	switchport port-security	switchport port-security		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 733	March 23, 2010 4.4.0
480.	switchport port-security maximum	switchport port-security maximum		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 20, 734	March 23, 2010 4.4.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
481.	switchport private-vlan mapping	switchport private-vlan mapping		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 825	November 8, 2011 4.9.0
482.	switchport trunk allowed vlan	switchport trunk allowed vlan		Cisco IOS 12.2 through 15.4; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 826	April 23, 2007 2.0.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
483.	switchport trunk native vlan	switchport trunk native vlan		Cisco IOS 12.2 through 15.4; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 828	April 23, 2007 2.0.0
484.	switchport vlan mapping	switchport vlan mapping		Cisco IOS 12.2 through 15.4; IOS XE 3.5;	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 829	February 28, 2013 4.12.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
485.	tacacs-server host	tacacs-server host		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 250-51	June 4, 2008 2.1.0
486.	tacacs-server key	tacacs-server key		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 252	June 4, 2008 2.1.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
487.	tacacs-server timeout	tacacs-server timeout		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.0.1, EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 13, 254	June 4, 2008 2.1.0
488.	terminal monitor	terminal monitor		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 12, 177	March 25, 2010 4.5.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
489.	timers basic (RIP)	timers basic (RIP)		Cisco IOS 11.0 through 15.4; IOS XR 3.3 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 33, 1727	July 6, 2011 4.8.1
490.	timers bgp	timers bgp		Cisco IOS 11.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5; NX-OS 4.0 through 6.2	EOS v. 4.4.0, EOS v. 4.6.2, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 32, 1708	November 17, 2009 4.4.0
491.	timers lsa arrival	timers lsa arrival	OSPFv2	Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1527	July 12, 2013 4.12.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
492.	timers throttle lsa all	timers throttle lsa all	OSPFv2	Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 30, 1528	July 12, 2013 4.13.0
493.	timers throttle spf	timers throttle spf	OSPFv2	Cisco IOS 12.2 through 15.4; IOS XR 3.0 through 5.2; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.15.3F, User Manual, p. 14, 257	December 27, 2012 EOS4.12.0
494.	username sshkey	username sshkey		NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 14, 257	August 20, 2010 4.7.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
495.	vlan internal allocation policy	vlan internal allocation policy		Cisco IOS 12.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 21, 832	January 3, 2011 4.7.0
496.	vrf definition	vrf definition		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 4.0 through 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1381	August 30, 2011 4.10.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
497.	vrf forwarding	vrf forwarding		Cisco IOS 12.2 through 15.4; IOS XE 2.1 through 3.5; NX-OS 6.2	EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 28, 1382	August 30, 2011 4.10.0
498.	vrrp authentication	vrrp authentication		Cisco IOS 12.0 through 15.4; IOS XE 3.5; NX-OS 6.2	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 964	June 8, 2009 4.3.0
499.	vrrp delay reload	vrrp delay reload		Cisco IOS 15.1 through 15.4; IOS XR 3.4 through 5.2; IOS XE 3.5	EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 965	September 16, 2013 4.13.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
500.	vrrp description	vrrp description		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 966	June 8, 2009 4.3.0
501.	vrrp ip	vrrp ip		Cisco IOS 12.0 through 15.4; IOS XR 5.2; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 967	June 8, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
502.	vrrp ip secondary	vrrp ip secondary		IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 968	December 15, 2009 4.4.0
503.	vrrp preempt	vrrp preempt		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 972	June 8, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
504.	vrrp priority	vrrp priority		Cisco IOS 12.0 through 15.4; IOS XR 3.0 through 5.2; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 975	June 8, 2009 4.3.0
505.	vrrp shutdown	vrrp shutdown		Cisco IOS 12.4 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 976	June 8, 2009 4.3.0

	Cisco CLI Command Expression	Arista CLI Command Expression	Protocol or Routing Mode (where applicable)	Copyrighted Work(s) in Which Cisco's CLI Command Expression Appears	Exemplary Infringing Work(s) in Which Command Expression Appears	Date On Which Arista Added Command to Source Code & EOS Version
506.	vrrp timers advertise	vrrp timers advertise		Cisco IOS 12.0 through 15.4; IOS XE 3.5	EOS v. 4.4.0, EOS v. 4.10.0, EOS v. 4.11.1.2, EOS v. 4.11.2.1, EOS v. 4.12.4, EOS v. 4.13.6F, EOS v. 4.13.7M, EOS v. 4.14.3F, EOS v. 4.14.5F, EOS v. 4.14.6M, EOS v. 4.15.0F, EOS v. 4.15.3F, User Manual, p. 23, 977	June 8, 2009 4.3.0

1 IN EVALUATING THE EVIDENCE, MS. SULLIVAN, IS THAT BASED ON THE
2 PROOF AT TRIAL, THE -- IT APPEARS THAT, I THINK UNDISPUTED,
3 THAT THE COMPILATIONS THAT I FOUND TO BE PROTECTABLE WERE NOT
4 CREATED AS COMPILATIONS. THEY WERE CREATED OVER A PERIOD OF
5 TIME AND BECAME COMPILATIONS.

6 SO IT'S -- AND SO WHEN ARISTA POINTS TO EVIDENCE OF
7 INDIVIDUAL CLI COMMANDS OR INDIVIDUAL SCREEN RESPONSES, IT IS
8 IN TUNE WITH THE MANNER IN WHICH THE COMPILATION WAS CREATED,
9 AND SO YOU -- YOU CLAIM THAT THE EVIDENCE THEY POINT TO DOES
10 NOT POINT TO THE DEFECT IN THE COMPILATION, AND I DON'T
11 ACTUALLY -- I'M NOT SURE I SEE IT THAT WAY.

12 SO THAT'S REALLY MY OVERALL QUESTION TO YOU.

13 AND MR. VAN NEST, I HAVE A DIFFERENT KIND OF QUESTION FOR
14 YOU. I HAVE AN OBSERVATION THAT WITH ALL OF THE THINGS I DID
15 WRONG IN THIS TRIAL, IT'S AMAZING YOU WON IS ALL I COME UP WITH
16 HERE. I HAVE A LAUNDRY LIST OF PROBLEMS WITH THE CASE AND SO
17 THAT -- BUT REALLY THE QUESTION IS, IF I DO NOT GRANT CISCO'S
18 MOTION, DO I NEED TO RULE ON YOURS?

19 MR. VAN NEST: I THINK IT WOULD BE MOOT, YOUR HONOR.

20 THE COURT: THANK YOU.

21 MR. VAN NEST: THE MOTION'S DENIED.

22 THE COURT: BUT I WANT TO HEAR FULL ARGUMENT ON IT
23 TODAY BECAUSE I HAVEN'T MADE A DETERMINATION, BUT I JUST WANTED
24 TO CONFIRM THAT BECAUSE THAT'S MY UNDERSTANDING AS WELL.

25 AND THEN YOU HAVE PRESERVED THESE ISSUES SHOULD --

1 MR. VAN NEST: THAT'S RIGHT.

2 THE COURT: -- THE APPELLATE COURT OVERTURN THE
3 RULING ON THAT.

4 ALL RIGHT.

5 MR. VAN NEST: THAT'S RIGHT, YOUR HONOR.

6 THE COURT: THANK YOU.

7 THEN LET'S START, AND I THINK PRIMARILY HERE -- LET ME
8 PULL MY SCREEN OVER.

9 OKAY. MS. SULLIVAN, NICE TO SEE YOU AGAIN.

10 MS. SULLIVAN: GOOD MORNING, YOUR HONOR. IT'S VERY
11 NICE TO SEE YOU AGAIN.

12 KATHLEEN SULLIVAN FOR CISCO.

13 YOUR HONOR, I KNOW THAT THE LAST THING THAT YOU WANT TO DO
14 AFTER A CASE AS HARD FOUGHT AND FAIRLY AND METICULOUSLY TRIED
15 AS THIS ONE WAS IS OVERTURN THE JURY VERDICT, BUT I'M AFRAID
16 THAT THIS REALLY IS THE RARE CASE IN WHICH THERE IS NOT LEGALLY
17 SUFFICIENT EVIDENCE TO SUPPORT THE DISPOSITIVE SCENES A FAIRE
18 DEFENSE.

19 AND I'D LIKE TO GO RIGHT TO YOUR QUESTION, BECAUSE YOU GOT
20 RIGHT TO THE HEART OF THE MATTER. THIS IS A CASE IN WHICH YOUR
21 HONOR HELD THAT THE PROTECTABLE EXPRESSION THAT THE JURY FOUND
22 WAS INFRINGED WAS ONE OR MORE OF THE COMPILATIONS THAT CISCO
23 ASSERTED IN THIS CASE.

24 IN OTHER WORDS, THIS IS A COMPILATION CASE.

25 THE COURT: YEAH.

Kathleen Sullivan (SBN 242261)
kathleensullivan@quinnemanuel.com
Steven Cherny (*admitted pro hac vice*)
stevencherny@quinnemanuel.com
Todd Anten (*admitted pro hac vice*)
toddanten@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Sean S. Pak (SBN 219032)
seanpak@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

David Nelson (*admitted pro hac vice*)
davenelson@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
500 W Madison St, Suite 2450
Chicago, IL 60661
Telephone: (312) 705-7465
Facsimile: (312) 705 7401

Attorneys for Plaintiff Cisco Systems, Inc.

Adam R. Alper (SBN 196834)
adam.alper@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, California 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500

Michael W. De Vries (SBN 211001)
michael.devries@kirkland.com
KIRKLAND & ELLIS LLP
333 South Hope Street
Los Angeles, California 90071
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

CASE NO. 5:14-cv-5344-BLF (NC)

NOTICE OF APPEAL

1 NOTICE IS HEREBY GIVEN that Plaintiff Cisco Systems, Inc. appeals to the United
2 States Court of Appeals for the Federal Circuit from the final judgment entered December 19,
3 2016 [ECF 750] (the “Judgment”), the Order Denying Motions For Judgment As A Matter Of
4 Law And Motion For A New Trial entered May 10, 2017 [ECF 787] (the “JMOL Order”), and
5 each and every part thereof, including but not limited to any and all judgments, orders, opinions,
6 rulings, decisions, conclusions, and/or findings relating to, pertinent to, ancillary to, or merged
7 into the Judgment and JMOL Order.

8
9 Dated: June 6, 2017

Respectfully submitted,

10 /s/ Kathleen Sullivan
11 Kathleen Sullivan (SBN 242261)
12 kathleensullivan@quinnemanuel.com
13 Steven Cherny (*admitted pro hac vice*)
14 stevencherny@quinnemanuel.com
15 Todd Anten (*admitted pro hac vice*)
16 toddanten@quinnemanuel.com
17 QUINN EMANUEL URQUHART &
18 SULLIVAN LLP
19 51 Madison Avenue, 22nd Floor
20 New York, NY 10010
21 Telephone: (212) 849-7000
22 Facsimile: (212) 849-7100

23 Sean S. Pak (SBN 219032)
24 seanpak@quinnemanuel.com
25 QUINN EMANUEL URQUHART &
26 SULLIVAN LLP
27 50 California Street, 22nd Floor
28 San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

David Nelson (*admitted pro hac vice*)
davenelson@quinnemanuel.com
QUINN EMANUEL URQUHART &
SULLIVAN LLP
500 W Madison St, Suite 2450
Chicago, IL 60661
Telephone: (312) 705-7465
Facsimile: (312) 705 7401

Adam R. Alper (SBN 196834)
adam.alper@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, California 94104

Telephone: (415) 439-1400
Facsimile: (415) 439-1500

Michael W. De Vries (SBN 211001)
michael.devries@kirkland.com
KIRKLAND & ELLIS LLP
333 South Hope Street
Los Angeles, California 90071
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Attorneys for Plaintiff Cisco Systems, Inc.

11:18AM 1 IF I HAD, NOW, A COUPLE OF WEEKS TO PREPARE A LENGTHY,
11:18AM 2 THOUGHTFUL WRITTEN ORDER ON THE DEFINITION OF THE WORKS, AND
11:18AM 3 THAT PERFECT WORLD ISN'T WHERE WE ARE LIVING TODAY.

11:18AM 4 AND SO I THINK IT'S IMPORTANT THAT I RULE NOW SO THAT YOU
11:18AM 5 CAN PROCEED TO PREPARING YOUR PRESENTATION FOR TRIAL AND THAT
11:18AM 6 WE CAN HAVE SOME CLEAR JURY INSTRUCTIONS.

11:18AM 7 AND YOU DID BRIEF THIS QUITE A BIT AGO, I DIDN'T PREPARE A
11:18AM 8 WRITTEN ORDER IN ADVANCE OF TODAY'S HEARING.

11:18AM 9 ON THE RULE 26 ISSUE, I'M SATISFIED THAT BY THE SECOND
11:18AM 10 AMENDED COMPLAINT AND THE RESPONSES TO DISCOVERY, THAT CISCO
11:18AM 11 HAS ADEQUATELY DISCLOSED ITS INTENTION TO PROCEED ON THE
11:19AM 12 DEFINITION OF ITS WORKS, INCLUDING ITS USER INTERFACE, AND NOT
11:19AM 13 ITS ENTIRE OPERATING SYSTEM.

11:19AM 14 AND SO ON THAT GROUND, I WILL DENY THE MOTION, OR WHEREVER
11:19AM 15 WE ARE, THE DEFINITION TO STRIKE THE REQUEST FOR THE DEFINITION
11:19AM 16 OF USER INTERFACE AS THE OPERATING SYSTEM.

11:19AM 17 ON THE ISSUE OF THE -- THE LEGAL ISSUE THAT MR. KWUN
11:19AM 18 ARGUED, I THINK IT'S A DIFFICULT ISSUE. I THINK THAT THE CASES
11:19AM 19 THAT ARE CITED PERTAIN TO SPECIFIC FACTUAL CIRCUMSTANCES AND
11:19AM 20 DIFFERENT PROCEDURAL POINTS IN THE CASES, BUT I AM PERSUADED
11:19AM 21 BASED UPON THE MANUFACTURERS TECHNOLOGY CASE, AND THAT LINE OF
11:19AM 22 CASES THAT HAVE BEEN UTILIZED, I DID LOOK BRIEFLY AT THE APPLE
11:19AM 23 V. MICROSOFT DECISION, AND OF COURSE IT WASN'T THE HEART OF
11:19AM 24 THAT DECISION EITHER, BUT IT WAS A CASE THAT WAS BASED ON AN
11:19AM 25 ANALYSIS OF THE USER INTERFACE THAT, IN FACT, THE REGISTRATION

11:20AM 1 OF THE OPERATING SYSTEM IS CREATING HERE TWO SEPARATE
11:20AM 2 REGISTRATIONS AND PROTECTABLE WORKS, AND I WILL ALLOW CISCO TO
11:20AM 3 GO FORWARD ON THE DEFINITION OF ITS WORKS AS EACH OF THE USER
11:20AM 4 INTERFACES RELATED TO THE PARTICULAR VERSION OF THE OPERATING
11:20AM 5 SYSTEM AT ISSUE.

11:20AM 6 I DO AGREE WITH MR. KWUN THAT WHEN WE GET TO THE FAIR USE
11:20AM 7 ARGUMENT IN THE CASE, FOR THAT DEFENSE, THAT WHETHER OR NOT
11:20AM 8 THERE'S INDEPENDENT ECONOMIC VALUE OF THE USER INTERFACE, MAY
11:20AM 9 BE AN ISSUE THAT WILL ALLOW YOU TO COMPLETELY WIN AND PREVAIL
11:20AM 10 ON YOUR FAIR USE DEFENSE. BUT OBVIOUSLY, YOU WOULD HAVE
11:20AM 11 PREFERRED IT TO BE AN ARGUMENT IN THE YOUR ARSENAL AT THE
11:20AM 12 EARLIER STAGE OF DETERMINING INFRINGEMENT AND I RECOGNIZE THAT.

11:20AM 13 BUT THE ISSUE IS CERTAINLY ALIVE, AS YOU HAVE SHOWN ME
11:20AM 14 HERE, AND I THINK THAT WE PERHAPS MOVE THE PRESENTATION OF
11:21AM 15 EVIDENCE DOWN THE ROAD, BUT IT WILL STILL BE AVAILABLE FOR THE
11:21AM 16 PROOF ON THE FAIR USE DEFENSE.

11:21AM 17 ALL RIGHT. LET'S MOVE ON THEN. AND I THOUGHT THIS FIRST
11:21AM 18 PART WOULD TAKE ABOUT 30 MINUTES, SO WE ARE ABOUT
11:21AM 19 TWO-AND-A-HALF HOURS LATE FROM WHERE I THOUGHT WE WOULD BE.
11:21AM 20 SO, YOU ARE, I'M SURE, EXQUISITELY ORGANIZED TO LEAD ME THROUGH
11:21AM 21 THIS, ALTHOUGH I'M NOT SURE HOW IT HAPPENED THAT I TORMENTED
11:21AM 22 YOU OF BRIEFING THIS ISSUE OF ANALYTIC DISSECTION SO MANY
11:21AM 23 TIMES, AND GOING BACK THROUGH THE BRIEFING, I REALLY WAS SORRY
11:21AM 24 YOU HAD DONE THAT SO MANY TIMES, BUT THANK YOU.

11:21AM 25 MR. VAN NEST: DID YOU WANT TO GO TO WHERE YOU

01:26PM 1 THE USER INTERFACE, AND HE CONCLUDES BY SAYING, WE WOULD BE A
01:27PM 2 PRACTICAL DROP-IN REPLACEMENT FOR THE CISCO, GIVEN THE 99.9999
01:27PM 3 SIMILARITY IN THE CLI, RIGHT.

01:27PM 4 SO THINK ABOUT THAT WHEN YOU ARE GOING THROUGH. THERE'S
01:27PM 5 GOING TO BE MORE OF THIS EVIDENCE AND YOU ARE GOING TO HEAR
01:27PM 6 FROM MR. DALE.

01:27PM 7 WHEN YOU ARE OUT THERE AND YOU ARE TRYING TO SELL TO
01:27PM 8 CUSTOMERS YOUR PRODUCT, YOUR COMPETING PRODUCT, YOU ARE TELLING
01:27PM 9 THEM, WE ARE THE DROP-IN REPLACEMENT, WE ARE THE SAME.

01:27PM 10 WHEN YOU COME TO COURT AND NOW YOU WANT TO BE EXCUSED FOR
01:27PM 11 YOUR COPYING, YOU SAY, WE DIDN'T TAKE VERY MUCH.

01:27PM 12 SO THINK ABOUT, AS YOU ARE GOING THROUGH AND YOU ARE
01:27PM 13 EVALUATING THE EVIDENCE, THINK ABOUT THAT. BECAUSE I THINK
01:27PM 14 THAT'S AN IMPORTANT CONTRADICTION TO KEEP IN MIND.

01:27PM 15 SO LET ME NOW MOVE TO ARISTA A LITTLE BIT. SO HERE IS
01:27PM 16 ACTUALLY A PRESENTATION TO INVESTORS FROM ARISTA, KIND OF
01:28PM 17 TALKING ABOUT SOME OF THE EXECUTIVE TEAMS AND SOME OF THE KEY
01:28PM 18 POSITIONS AND VP AND ENGINEERS AND THINGS AT ARISTA.

01:28PM 19 AND ONE THING YOU WILL NOTICE ON THIS -- AND I'M GOING TO
01:28PM 20 HIGHLIGHT IT SO WE CAN SEE IT A LITTLE BIT BETTER -- BUT THE
01:28PM 21 VAST MAJORITY OF THESE PEOPLE, IF I COUNTED UP, ALL BUT TWO --
01:28PM 22 THREE, EXCUSE ME, THE -- MR. SMITH, MS. BRANNAN, AND MR. TAXAY,
01:28PM 23 HAVE THEIR ROOTS IN CISCO.

01:28PM 24 AND YOU ARE GOING TO HEAR THAT AND YOU ARE GOING TO HEAR
01:28PM 25 EVIDENCE OF THAT, THAT THE PEOPLE WHO WENT OUT AND FOUNDED

01:48PM 1 WELL, HERE, ARISTA, WHAT THEY TOLD US IS THEY HAVE BY FAR
01:48PM 2 THE MOST SIMILAR ONE. THAT'S THE TRUE INDUSTRY STANDARD.

01:48PM 3 SO IN OTHER WORDS, THEY ARE IN -- THEY ARE TELLING EACH
01:48PM 4 OTHER, YEAH, OTHER PEOPLE MIGHT DO SOME THINGS, BUT WE DO IT
01:48PM 5 THE MOST, RIGHT? WE COPY THE MOST. WE ARE 99.999 PERCENT
01:48PM 6 DROP-IN REPLACEMENT.

01:48PM 7 OKAY. SO LET ME TELL YOU ONE THING STRAIGHT UP. CISCO
01:48PM 8 DOESN'T LIKE TO BE HERE. WE DON'T LIKE TO FILE LAWSUITS. AND
01:48PM 9 IT HASN'T HAPPENED IN THE HISTORY OF THE COMPANY VERY OFTEN.
01:48PM 10 IN FACT, IN THIS COUNT, ONE OTHER TIME.

01:48PM 11 ONE OTHER TIME THIS HAPPENED, AND THERE WAS A COMPANY
01:49PM 12 CALLED HUAWEI THAT WAS OUT THERE. AND THEY DID A VERY SIMILAR
01:49PM 13 THING. AND THIS WAS FROM THE COMPLAINT, THEY CLONED THE CISCO
01:49PM 14 INTELLECTUAL PROPERTY AND THEY SLAVISHLY COPIED IT.

01:49PM 15 THAT'S WHAT HAPPENED. THEY ARE OUT THERE.

01:49PM 16 WE ARE CISCO, WE ARE GOING TO TAKE YOU WHOLESALE, AND THE
01:49PM 17 LAWSUIT WAS FILED.

01:49PM 18 ULTIMATELY HUAWEI CHANGED. THEY CHANGED WHAT THEY WERE
01:49PM 19 DOING AND THEY STOPPED USING THIS. YOU ARE GOING TO HEAR THAT
01:49PM 20 EVIDENCE.

01:49PM 21 NOW, HERE'S SOME OF ARISTA'S OWN DOCUMENTS. THIS IS THEIR
01:49PM 22 OWN DESCRIPTION. THEY SAY THE SAME THINGS. THEY USE THE SAME
01:49PM 23 WORDS. THIS SYSTEM IS A VERY CLOSE CLONE OF THE IOS CLI. WE
01:49PM 24 ACTUALLY COPIED IT SLAVISHLY.

01:49PM 25 SAME WORDS, SAME TERMS. IT'S THE SAME SITUATION.

01:53PM 1 CUSTOMERS. THEY WOULDN'T BUY OUR PRODUCT IF WE DIDN'T DO IT.

01:53PM 2 THINK ABOUT THAT. BOTH OF THOSE THINGS CAN'T BE TRUE.

01:53PM 3 BUT YOU ARE GOING TO HEAR BOTH OF THOSE THINGS FROM THEM.

01:53PM 4 YOU ARE ALSO GOING TO HEAR, WE DIDN'T TAKE MUCH, JUST A
01:54PM 5 LITTLE BIT.

01:54PM 6 BUT REMEMBER, AS I TOLD YOU, THEY TOOK WHAT THEY NEEDED.

01:54PM 7 AND, IN FACT, THEY ARE OUT THERE TELLING CUSTOMERS, POTENTIAL
01:54PM 8 CUSTOMERS, WE ARE A DROP-IN REPLACEMENT.

01:54PM 9 SO IN THE CASE THEY ARE GOING TO TELL YOU, I DIDN'T TAKE
01:54PM 10 MUCH.

01:54PM 11 BUT WHEN THEY ARE OUT THERE TRYING TO SELL PRODUCT AND SELL
01:54PM 12 TO CUSTOMERS, THEY ARE LIKE, I AM A DROP-IN REPLACEMENT.

01:54PM 13 THEY ARE ALSO GOING TO SAY, HEY, IT'S NOT CREATIVE.

01:54PM 14 REMEMBER I WENT THROUGH THAT AND I TALKED TO YOU ABOUT
01:54PM 15 THAT. I COULD COPY YOUR USER INTERFACE BECAUSE IT'S NOT
01:54PM 16 CREATIVE. THERE'S NOTHING IN THERE THAT SHOULD BE PROTECTED.

01:54PM 17 WELL, WE SAW THAT WHEN THOSE SAME, MANY OF THOSE SAME
01:54PM 18 INDIVIDUALS WERE WORKING ON THAT USER INTERFACE, THEY SAID IT
01:54PM 19 WAS SUBJECTIVE. IT WAS CREATIVE. THERE WAS A LOT OF DEBATE
01:54PM 20 THAT WAS GOING BACK AND FORTH.

01:54PM 21 SO, I MEAN, THINK ABOUT THAT AS YOU ARE GOING THROUGH.
01:54PM 22 IT'S SO IMPORTANT AS YOU ARE EVALUATING THIS EVIDENCE IN THIS
01:54PM 23 CASE TO PUT YOURSELF OUT OF THE LAWSUIT A BIT, RIGHT?

01:55PM 24 EVERYTHING GETS PRESENTED TO YOU IN THIS FISHBOWL OF A LAWSUIT.

01:55PM 25 BUT THINK ABOUT WHAT WAS SAID AND WHAT WAS DONE AND WHAT

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:00PM 1 HAVING BEEN FIRST DULY SWORN, WAS EXAMINED AND TESTIFIED AS
03:00PM 2 FOLLOWS:

03:00PM 3 THE WITNESS: YES.

03:00PM 4 THE CLERK: PLEASE BE SEATED.

03:00PM 5 IF YOU WOULD STATE YOUR NAME AND SPELL YOUR LAST NAME FOR
03:00PM 6 THE RECORD.

03:00PM 7 THE WITNESS: CHRISTINE BAKAN. B-A-K-A-N.

03:00PM 8 MR. NELSON: YOU HAVE YOUR --

03:00PM 9 THE COURT: I DO.

03:00PM 10 MR. NELSON: OKAY. THANK YOU, YOUR HONOR.

03:00PM 11

03:00PM 12 **DIRECT EXAMINATION BY MR. NELSON**

03:00PM 13

03:00PM 14 BY MR. NELSON:

03:00PM 15 Q. PLEASE GO AHEAD AND INTRODUCE YOURSELF TO THE LADIES AND
03:00PM 16 GENTLEMEN OF THE JURY.

03:00PM 17 A. MY NAME IS CHRISTINE BAKAN. I WORK AT CISCO SYSTEMS. I'M
03:00PM 18 A SENIOR DIRECTOR OF PRODUCT MANAGEMENT WITHIN THE ENTERPRISE
03:01PM 19 NETWORKING GROUP.

03:01PM 20 Q. ALL RIGHT. SO CAN YOU JUST TELL US A LITTLE BIT ABOUT YOUR
03:01PM 21 EMPLOYER, PLEASE?

03:01PM 22 A. WELL, CISCO SYSTEMS WAS ORIGINALLY FOUNDED IN CALIFORNIA.
03:01PM 23 WE ARE THE LEADER IN THE NETWORKING SPACE. WE PROVIDE
03:01PM 24 SWITCHING PRODUCTS, ROUTING PRODUCTS, AS WELL AS SECURITY
03:01PM 25 PRODUCTS THAT ESSENTIALLY SECURE THE INTERNET. SO THE SWITCHES

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

AND ROUTERS THAT ESSENTIALLY POWER THE INTERNET.

WE ALSO PROVIDE LOTS OF DIFFERENT PRODUCTS, WHICH IS
TELECOMMUNICATIONS PRODUCTS, TELECONFERENCING SYSTEMS. YOU MAY
HAVE HEARD OF WEBEX, FOR EXAMPLE, WHICH IS ANOTHER ONE OF OUR
PRODUCTS.

AND WE HAVE A VARIETY OF DIFFERENT PRODUCTS WITHIN THE
PORTFOLIO.

Q. NOW, LET'S MOVE BACKWARD AND TELL US A LITTLE BIT ABOUT
YOURSELF. CAN YOU TELL US WHAT YOUR EDUCATIONAL BACKGROUND IS,
PLEASE.

A. SURE. I WENT TO A LOCAL UNIVERSITY HERE IN NORTHERN
CALIFORNIA. I WENT TO UC BERKELEY. I GRADUATED WITH A COLLEGE
DEGREE IN MOLECULAR BIOLOGY.

DURING THAT TIME I ALSO WORKED AS AN ENGINEER IN THE
COMPUTER SCIENCE DEPARTMENT WORKING FOR SEVERAL PROFESSORS ON A
RESEARCH PROJECT FOR SEVERAL YEARS, WHICH WAS FROM 1992 TO
1995.

AND SEVERAL YEARS AFTER THAT I WENT BACK TO RECEIVE MY
DEGREE IN BUSINESS ADMINISTRATION FROM STANFORD UNIVERSITY.

Q. SO YOU MENTIONED YOU WERE WORKING ON A RESEARCH PROJECT
WITH SEVERAL PROFESSORS S WHILE YOU WERE AT BERKELEY.

A. YES.

Q. CAN YOU TELL US A LITTLE BIT ABOUT THAT?

A. SO THOSE WERE RESEARCH PROJECTS RELATING TO OPTICAL
CHARACTER RECOGNITION SYSTEMS, AS WELL AS IMAGE PROCESSING

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:10PM 1 SINGLE APPLE STORE ANYWHERE IN THE WORLD, IF YOU WALK INTO THE
03:10PM 2 STORE AND YOU ARE CONNECTING TO THEIR WI-FI NETWORK, IT'S ALL
03:10PM 3 POWERED THROUGH CISCO WI-FI NETWORK.

03:10PM 4 ANOTHER EXAMPLE WOULD BE THE LOS ANGELES UNIFIED SCHOOL
03:10PM 5 DISTRICT, THAT'S THE SCHOOL DISTRICT I WENT TO. IT'S ONE OF
03:10PM 6 THE LARGEST SCHOOL DISTRICTS IN THE INDUSTRY.

03:10PM 7 AND IT'S A PUBLIC SCHOOL SYSTEM, AND ESSENTIALLY CISCO
03:10PM 8 NETWORKING EQUIPMENT CONNECTS THE STUDENTS AND THE TEACHERS TO
03:10PM 9 BE ABLE TO GET ACCESS TO THE INTERNET.

03:10PM 10 Q. SO YOU'VE TALKED ABOUT SOME OF THE CISCO PRODUCTS. I WANT
03:10PM 11 TO FOCUS ON A COUPLE OF THOSE FOR THIS CASE. WE'VE HEARD
03:11PM 12 SOMETHING ABOUT THIS.

03:11PM 13 SO SWITCHES, NETWORK SWITCHES, LET'S START THERE. OKAY?

03:11PM 14 A. SURE.

03:11PM 15 Q. CAN YOU TELL US GENERALLY WHAT A NETWORK SWITCH IS?

03:11PM 16 A. SURE. A NETWORK SWITCH SIMPLY IS BASICALLY A
03:11PM 17 HARDWARE-BASED DEVICE THAT ESSENTIALLY ALLOWS COMPUTERS WITHIN
03:11PM 18 A LOCAL NETWORK, WHICH IS BASICALLY A SPECIFIC LOCATION THAT
03:11PM 19 THE VARIOUS DIFFERENT COMPUTERS ARE CO-LOCATED IN.

03:11PM 20 SO, FOR EXAMPLE, THIS BUILDING COULD BE ESSENTIALLY A LOCAL
03:11PM 21 NETWORK WHERE THE COMPUTERS ARE IN FRONT OF YOU, THE COMPUTERS
03:11PM 22 THAT ARE IN FRONT OF THE VARIOUS DIFFERENT FOLKS IN THE ROOM,
03:11PM 23 AS WELL AS THE PRINTERS YOU MIGHT SEE, THOSE ARE CONNECTED ALL
03:11PM 24 TOGETHER TO COMMUNICATE WITH EACH OTHER THROUGH A SWITCH OR SET
03:11PM 25 OF SWITCHES.

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:11PM 1 SO IF YOU SEND A PRINT JOB TO A PRINTER THAT'S WITHIN YOUR
03:11PM 2 SWITCH NETWORK, THOSE PRINT JOBS ESSENTIALLY DON'T HAVE TO GO
03:11PM 3 TO SOME OTHER LOCATION, DON'T HAVE TO GO TO AMAZON OR GOOGLE TO
03:11PM 4 ESSENTIALLY PRINT THAT JOB. IT JUST BASICALLY PRINTS THAT JOB
03:11PM 5 THROUGH A SWITCH THAT'S IN YOUR LOCATION WITHIN THE BUILDING
03:12PM 6 Q. AND WE'VE HEARD A LITTLE BIT ABOUT ROUTERS. CAN YOU TELL
03:12PM 7 ME THE DISTINCTION BETWEEN THE TWO?

03:12PM 8 A. SURE. SO A SWITCH, AGAIN, IS JUST WITHIN A PARTICULAR
03:12PM 9 NETWORK.

03:12PM 10 A ROUTER CONNECTS MULTIPLE NETWORKS. SO IF YOU CAN IMAGINE
03:12PM 11 THIS BUILDING IS CONNECTED THROUGH A SET OF SWITCHES, OR MAYBE
03:12PM 12 ONE SWITCH.

03:12PM 13 ANOTHER BUILDING THAT MAY BE, LET'S SAY, IN SOUTHERN
03:12PM 14 CALIFORNIA, THAT'S ANOTHER, LET'S SAY, FEDERAL COURTHOUSE, IF
03:12PM 15 THOSE TWO COURTHOUSES NEED TO ESSENTIALLY COMMUNICATE THROUGH
03:12PM 16 E-MAIL, IF ONE JUDGE NEEDS TO E-MAIL ANOTHER JUDGE IN A
03:12PM 17 DIFFERENT COURTHOUSE, ESSENTIALLY THAT COMMUNICATION GOES
03:12PM 18 THROUGH A ROUTER THAT CONNECTS THE TWO NETWORKS TOGETHER.

03:12PM 19 Q. SO I WOULD LIKE YOU TO TURN TO YOUR BINDER THAT YOU SHOULD
03:12PM 20 HAVE IN FRONT OF YOU. THERE WILL BE SOME DOCUMENTS THERE
03:12PM 21 BEHIND SOME TABS. THE FIRST ONE I WANT YOU TO LOOK AT IS
03:12PM 22 EXHIBIT 4269.

03:13PM 23 NO, YOU WON'T HAVE THOSE.

03:13PM 24 THE WITNESS, I'M SORRY.

03:13PM 25 SO CAN YOU LOOK AT 4269? DO YOU HAVE THAT?

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:17PM 1 YOU REALLY CAN'T USE ANY OF THOSE CAPABILITIES UNLESS YOU HAVE
03:17PM 2 A BRAIN THAT BASICALLY MAKES SURE THAT THOSE CAPABILITIES ARE
03:17PM 3 BEING USED.

03:17PM 4 SO ANY TIME YOU HAVE A DEVICE LIKE THIS, WHETHER IT'S A
03:17PM 5 SWITCH OR A ROUTER, IT COMES WITH AN OPERATING SYSTEM, WHICH IS
03:17PM 6 KIND OF THE BRAIN OF THE DEVICE, AND IT HELPS MANAGE AND
03:17PM 7 CONTROL, ESSENTIALLY, THE HARDWARE FUNCTIONS THAT ARE
03:17PM 8 AVAILABLE, ALL THE PORTS, SWITCHES, ALL THE PORT SLOTS THAT ARE
03:17PM 9 AVAILABLE, FOR EXAMPLE, ON THE SWITCH, AS WELL AS SOFTWARE
03:17PM 10 CAPABILITIES, SOFTWARE CAPABILITIES THAT ARE IN THE OPERATING
03:17PM 11 SYSTEM ITSELF.

03:17PM 12 Q. OKAY. NOW, IS THERE A PART OF THIS SOFTWARE THAT THE USER
03:17PM 13 CAN INTERACT WITH?

03:17PM 14 A. ABSOLUTELY. SO EVERY CISCO DEVICE, WHETHER IT'S A SWITCH
03:18PM 15 OR A ROUTER, COMES WITH AN IOS SOFTWARE, AND WITH EACH SOFTWARE
03:18PM 16 IT'S AVAILABLE WITH WHAT WE CALL THE COMMAND-LINE INTERFACE.
03:18PM 17 IT'S THE MOST COMPREHENSIVE DIRECT MECHANISM BY WHICH YOU COULD
03:18PM 18 TAKE ADVANTAGE AND USE ALL THE CAPABILITIES THAT ARE AVAILABLE
03:18PM 19 ON A SWITCH OR A ROUTER.

03:18PM 20 Q. OKAY. NOW, YOU MENTIONED EARLIER THAT THERE ARE OTHER
03:18PM 21 PRODUCTS THAT CISCO MAKES, RIGHT?

03:18PM 22 A. YES, CORRECT.

03:18PM 23 Q. AND SOME EXAMPLES, AGAIN?

03:18PM 24 A. SO, FOR EXAMPLE, IT COULD BE A SECURITY PRODUCT. SOMETIMES
03:18PM 25 YOU MAY HAVE HEARD OF SOMETHING CALLED A FIREWALL. A FIREWALL

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:21PM 1 THAT CISCO INVENTED.

03:21PM 2 APPLE IOS ACTUALLY STANDS FOR IPHONE OPERATING SYSTEM. SO
03:21PM 3 IF SOME OF YOU HAVE AN IPHONE IN THE ROOM. IT BASICALLY IS THE
03:22PM 4 OPERATING SYSTEM THAT RUNS ON THE PHONE.

03:22PM 5 AND APPLE LIKED THE NAME IOS SO MUCH THAT THEY ACTUALLY
03:22PM 6 ASKED CISCO PERMISSION TO USE THE NAME, AND WE GAVE THEM THE
03:22PM 7 OKAY TO ESSENTIALLY USE THE NAME IOS.

03:22PM 8 Q. NOW, ARE -- FOR THE CISCO IOS, I WANT TO TALK ABOUT, ARE
03:22PM 9 THERE SPECIFIC VERSIONS OF THAT IN -- OTHER FLAVORS, SO TO
03:22PM 10 SPEAK?

03:22PM 11 A. ABSOLUTELY. SO THE CISCO IOS ITSELF, SOMETIMES THEY CALL
03:22PM 12 IT IOS CLASSIC. WE HAVE A VARIETY OF OTHER OPERATING SYSTEMS
03:22PM 13 THAT ARE ALL STILL WITHIN THE FAMILY OF IOS OPERATING SYSTEMS,
03:22PM 14 SUCH AS NEXUS OS, WHICH WAS SPECIFICALLY BUILT TO CATER TO THE
03:22PM 15 NEEDS OF DATA CENTER CUSTOMERS, AS WELL AS WHAT WE CALL IOS XR
03:22PM 16 WHICH WAS BUILT TO ESSENTIALLY CATER TO TELECOM COMPANIES.

03:22PM 17 AN EXAMPLE OF A TELECOM WOULD BE AT&T OR COMCAST, VERIZON.
03:22PM 18 DEUTSCHE TELEKOM.

03:23PM 19 SO THESE ARE DIFFERENT TYPES OF OPERATING SYSTEMS THAT
03:23PM 20 CATER TO THE DIFFERENT NEEDS OF CUSTOMERS.

03:23PM 21 Q. NOW, YOU MENTIONED THE CLI, THE COMMAND-LINE INTERFACE
03:23PM 22 BEING A USER INTERFACE IN THE CISCO IOS FOR EXAMPLE, RIGHT?

03:23PM 23 A. YES.

03:23PM 24 Q. ARE THERE OTHER USER INTERFACES IN THE PRODUCT AS WELL?

03:23PM 25 A. SURE.

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:23PM 1 Q. CAN YOU EXPLAIN WHAT SOME OF THOSE ARE?

03:23PM 2 A. SO CISCO'S CLI IS AVAILABLE ON EVERY ONE OF OUR DEVICES.

03:23PM 3 CUSTOMERS HAVE THE OPTION TO, FOR EXAMPLE, USE A GUI-BASED

03:23PM 4 PRODUCT, WHICH IS SOMETHING THAT BASICALLY SHOWS AS A

03:23PM 5 PHOTOGRAPHICAL DISPLAY WITH SOMETHING THAT YOU COULD GO AHEAD

03:23PM 6 AND CLICK WITH A MOUSE THAT HAS ESSENTIALLY ICONS OR BUTTONS,

03:23PM 7 DROP DOWN MENUS, ET CETERA. IT'S ESSENTIALLY ANOTHER MECHANISM

03:23PM 8 BY WHICH YOU COULD ALSO GET ACCESS TO CAPABILITIES ON THE

03:23PM 9 DEVICE.

03:23PM 10 AS YOU CAN IMAGINE, IT'S NOT -- IT'S NEVER AS COMPREHENSIVE

03:23PM 11 AS ALL THE CAPABILITIES THAT ARE AVAILABLE THROUGH A CLI JUST

03:24PM 12 BECAUSE WE HAVE SUCH A RICH FUNCTIONALITY THAT'S AVAILABLE AT

03:24PM 13 THE CLI JUST AT THE TIP OF THE USER'S INPUT OF THE DEVICE.

03:24PM 14 Q. NOW I WOULD LIKE YOU TO TURN TO ANOTHER TAB IN YOUR BINDER,

03:24PM 15 AND THIS WOULD BE EXHIBIT 760. AND IF YOU COULD TAKE A LOOK AT

03:24PM 16 THAT DOCUMENT. ARE YOU FAMILIAR WITH THIS DOCUMENT?

03:24PM 17 A. YES.

03:24PM 18 Q. CAN YOU TELL US WHAT IT IS?

03:24PM 19 A. IT'S A PUBLISHED DOCUMENT ON THE IOS SOFTWARE TECHNOLOGY.

03:24PM 20 IT'S CALLED THE INTRODUCTION TO CISCO IOS SOFTWARE.

03:24PM 21 AGAIN, IT'S ONE OF THE PUBLICATIONS WE PROVIDE ROUTINELY AS

03:24PM 22 PART OF OUR PRODUCT DEVELOPMENT EFFORTS

03:24PM 23 Q. AND DO YOU KNOW WHO THE AUDIENCE IS FOR A DOCUMENT LIKE

03:24PM 24 THIS?

03:24PM 25 A. YES. SO THESE TYPE OF DOCUMENTS ARE TARGETED FOR NETWORK

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:26PM 1 ARE GOING TO GIVE YOU INFORMATION ABOUT THE DEVICE TO HELP YOU
03:26PM 2 TROUBLE SHOOT. AND JUST GIVE STATUS INFORMATION, LIKE IS THE
03:26PM 3 DEVICE GOING BAD, IS IT ACTING UP, IS IT HELPING. SO SHOW
03:26PM 4 COMMANDS, ESSENTIALLY ARE KNOWN BY NETWORK ADMINISTRATORS AS A
03:26PM 5 MECHANISM BY WHICH YOU COULD GET ACCESS TO THAT INFORMATION.

03:26PM 6 Q. NOW I WANT TO GO BACK AND TALK A LITTLE BIT ABOUT THE
03:26PM 7 GRAPHICAL USER INTERFACE IN THE PRODUCT?

03:26PM 8 A. SURE.

03:26PM 9 Q. SO YOU SAID THERE WAS A GRAPHICAL USER INTERFACE AVAILABLE;
03:26PM 10 IS THAT RIGHT?

03:26PM 11 A. YES, WE STILL CONTINUE TO HAVE GRAPHICAL USER INTERFACES.

03:26PM 12 Q. SO THEN WHY IS THE CLI, THE COMMAND-LINE INTERFACE STILL
03:26PM 13 OFFERED?

03:26PM 14 A. GREAT QUESTION. WELL, WE LIKE TO PROVIDE CAPABILITIES THAT
03:27PM 15 HELP ALL OF OUR CUSTOMERS BE HAPPY USING OUR PRODUCTS. WHAT WE
03:27PM 16 FIND AGAIN IN MY CAPACITY AS A PRODUCT MANAGEMENT LEADER AT
03:27PM 17 CISCO, WHAT WE FIND WHEN WE SPEAK TO CUSTOMERS WHETHER IT'S THE
03:27PM 18 DIRECT CONVERSATIONS OR THROUGH SURVEYS, WHAT WE FIND IS THAT
03:27PM 19 ACTUALLY OUR USERS PREFER TO USE THE COMMAND-LINE INTERFACE,
03:27PM 20 AND TIME AND TIME AGAIN, THIS IS BASICALLY THE RESPONSE WE GET
03:27PM 21 FROM EVERY CUSTOMER THAT I'VE EVER SPOKEN WITH IS SURE, THEY
03:27PM 22 WOULD LIKE ADDITIONAL OPTIONS SUCH AS PROGRAMMATIC INTERFACES,
03:27PM 23 BUT THEY ARE ABSOLUTELY SURE THAT CLI AND WHAT THEY USE DAY IN
03:27PM 24 AND DAY OUT TO TROUBLE SHOOT THE DEVICE. THIS IS THE MOST
03:27PM 25 COMPREHENSIVE WAY THAT THEY COULD MANAGE THE DEVICE, GET

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:27PM 1 INFORMATION ABOUT THE DEVICE. AND THIS IS THEIR PREFERRED
03:27PM 2 MECHANISM BY FAR.

03:27PM 3 Q. AND HOW DO YOU KNOW IT'S THE PREFERRED MECHANISM?

03:27PM 4 A. AGAIN, BECAUSE THIS IS WHAT THE CUSTOMERS TELL US.

03:28PM 5 MR. FERRALL: OBJECTION, YOUR HONOR. HEARSAY.

03:28PM 6 THE COURT: SUSTAINED.

03:28PM 7 BY MR. NELSON:

03:28PM 8 Q. YOU MENTIONED SURVEYS BEFORE?

03:28PM 9 A. YES. SO THIS IS WHAT THE CUSTOMERS HAVE TOLD US, WHETHER
03:28PM 10 IT'S VERBALLY OR THROUGH SURVEY RESULTS. AND WHAT WE LIKE TO
03:28PM 11 DO AS PRODUCT MANAGERS IS TO BE -- SO AS PRODUCT MANAGERS WE
03:28PM 12 WANT TO BUILD CAPABILITIES INTO OUR TECHNOLOGIES THAT ARE NOT
03:28PM 13 WASTED MONEY OR WASTE OF TIME FOR OUR CUSTOMERS. SO WE ARE
03:28PM 14 VERY DILIGENT ABOUT UNDERSTANDING WHAT DO OUR CUSTOMERS TRULY
03:28PM 15 WANT.

03:28PM 16 SO WE CONDUCT VARIOUS DIFFERENT MECHANISMS BY WHICH WE TRY
03:28PM 17 TO GET OBJECTIVE INFORMATION ABOUT THE NEEDS AND THE DESIRES OF
03:28PM 18 OUR CUSTOMERS. ONE OF WHICH IS TO RUN SURVEYS AND TO RUN BLIND
03:28PM 19 INTERVIEWS.

03:28PM 20 Q. DOES THE CLI HAVE ANY VALUE IN THE CISCO PRODUCT THEN?

03:28PM 21 A. SO YES. BECAUSE OUR CUSTOMERS HAVE INDICATED THAT THEY
03:29PM 22 PREFER THE USE OF --

03:29PM 23

03:29PM 24 MR. FERRALL: OBJECTION, YOUR HONOR. HEARSAY.

03:29PM 25 THE COURT: SUSTAINED.

DIRECT EXAMINATION OF CHRISTINE BAKAN BY MR. NELSON

03:29PM 1 BY MR. NELSON:

03:29PM 2 Q. SO FROM CISCO'S PERSPECTIVE, WHY INCLUDE THIS, WHAT'S THE
03:29PM 3 VALUE IN THE CLI?

03:29PM 4 A. WELL, OUR PRODUCTS ARE THE MOST POPULAR PRODUCTS IN THE
03:29PM 5 INDUSTRY. WE HAVE 80 PERCENT MARKET SHARE IN THE NETWORKING
03:29PM 6 SPACE. AND AS A RESULT WE KNOW THAT OUR PRODUCTS WHICH ARE
03:29PM 7 PRIMARILY MANAGED THROUGH CLI, ARE THE LEADING PRODUCTS OF
03:29PM 8 CHOICE BY OUR CUSTOMERS. SO WE KNOW THAT CLI IS A VERY
03:29PM 9 IMPORTANT ASPECT OF OUR PRODUCTS.

03:29PM 10 Q. AND HAS THERE EVER BEEN AN ATTEMPT AT CISCO TO DETERMINE
03:29PM 11 THE VALUE OF THE CLI SEPARATE FROM THE PRODUCT ITSELF?

03:29PM 12 A. NO. IT'S NOT SOMETHING THAT WE'VE THOUGHT ABOUT DOING
03:29PM 13 BECAUSE TO US CLI REPRESENTS ALL THE FUNCTIONALITY THAT'S
03:29PM 14 AVAILABLE IN THE PRODUCTS. IT'S A MECHANISM BY WHICH THE
03:29PM 15 ADMINISTRATORS, THE USERS OF THESE PRODUCTS HAVE DIRECT ACCESS
03:30PM 16 TO BE ABLE TO NOT JUST CONFIGURE, NOT JUST CONTROL, NOT JUST TO
03:30PM 17 TURN SOMETHING ON, BUT TO ACTUALLY TROUBLE SHOOT, MAKE SURE
03:30PM 18 THAT THESE DEVICES THAT ARE RUNNING VERY MISSION-CRITICAL
03:30PM 19 SYSTEMS, ARE WORKING PROPERLY AND WORKING EFFICIENTLY ALL THE
03:30PM 20 TIME. SO CLI IS A VERY CRITICAL ASPECT OF OUR PRODUCT
03:30PM 21 PORTFOLIO. SO WE HAVE NEVER CONDUCTED A SEPARATE SURVEY TO
03:30PM 22 DETERMINE ITS OWN SEPARATE VALUE.

03:30PM 23 MR. NELSON: I THANK YOU VERY MUCH AND I HAVE NO
03:30PM 24 FURTHER QUESTIONS AT THIS POINT, YOUR HONOR.

03:30PM 25 THE COURT: THANK YOU.

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:34PM 1 Q. OKAY. SINCE YOU HAVE BEEN AT CISCO, YOU HAVE BEEN FOCUSED
03:34PM 2 ON THE ENTERPRISE MARKET SEGMENT FOR THE ENTIRE PERIOD; IS THAT
03:34PM 3 RIGHT?
03:34PM 4 A. YES.
03:34PM 5 Q. AND YOU DISCUSSED WITH MR. NELSON A CISCO DATA SHEET, DO
03:34PM 6 YOU REMEMBER THAT?
03:34PM 7 A. A CISCO DATA SHEET, YOU MEAN FOR THE SWITCHES?
03:34PM 8 Q. RIGHT. THAT WAS THE NEXUS, THE NEXUS 4,000?
03:34PM 9 A. I BELIEVE IT WAS THE CATALYST.
03:34PM 10 Q. CATALYST 4,000, MY APOLOGIES. AND DATA SHEETS, THEY ARE
03:34PM 11 MEANT TO TELL THE PUBLIC ABOUT CISCO'S PRODUCTS, RIGHT?
03:34PM 12 A. THEY ARE MEANT TO SHARE INFORMATION ABOUT THE CAPABILITIES
03:34PM 13 OF THE PRODUCTS TO THE END USERS.
03:34PM 14 Q. YOU EXPECT THAT PEOPLE ARE GOING TO RELY UPON THE ACCURACY
03:34PM 15 OF CISCO DATA SHEETS, RIGHT?
03:34PM 16 A. OF COURSE. SOMETIMES WE HAVE ERRORS AND WE HAVE TO CORRECT
03:35PM 17 THEM JUST LIKE ANYTHING, BUT GENERALLY, YES.
03:35PM 18 Q. NOW THE DATA SHEET THAT YOU -- SO ARE YOU AWARE, MS. BAKAN,
03:35PM 19 THAT CISCO BE PUBLISHES DATA SHEETS THAT DESCRIBE ITS CLI AS AN
03:35PM 20 INDUSTRY STANDARD?
03:35PM 21 A. I AM NOT AWARE.
03:35PM 22 Q. YOU ARE NOT AWARE OF THAT. CAN YOU LOOK AT EXHIBIT 810 IN
03:35PM 23 YOUR BINDER?
03:35PM 24 A. I DO NOT HAVE AN EXHIBIT 810 IN MY BINDER.
03:35PM 25 Q. SORRY, 8110, I MISSPOKE, THAT'S MY FAULT. I'M SURE IT

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:37PM 1 Q. AND CISCO DATA SHEETS FOR ITS ETHERNET SWITCHES ALSO
03:37PM 2 DESCRIBE ITS COMMAND-LINE INTERFACE AS AN INDUSTRY STANDARD,
03:37PM 3 RIGHT?

03:37PM 4 A. I AM NOT AWARE OF THE SPECIFIC DATA SHEET THAT SAYS THAT.

03:37PM 5 Q. OKAY. LET'S LOOK AT EXHIBIT 5229 IN YOUR BINDER.

03:38PM 6 EXHIBIT 5229 IS A DATA SHEET FOR THE CISCO NEXUS 7,000 SERIES,
03:38PM 7 SIMPLIFIED END TO END MANAGEMENT, RIGHT?

03:38PM 8 A. CORRECT.

03:38PM 9 Q. AND THE NEXUS 7,000, BY THE WAY, THAT'S A PRODUCT DIRECTED
03:38PM 10 TO THE DATA CENTER, CORRECT?

03:38PM 11 A. YES, IT IS.

03:38PM 12 MR. FERRALL: YOUR HONOR, I WOULD OFFER EXHIBIT 5299
03:38PM 13 INTO EVIDENCE?

03:38PM 14 THE COURT: ANY OBJECTION?

03:38PM 15 MR. NELSON: NO OBJECTION, YOUR HONOR.

03:38PM 16 THE COURT: IT WILL BE ADMITTED.

03:38PM 17 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 5299, HAVING BEEN
03:38PM 18 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
03:38PM 19 EVIDENCE.)

03:38PM 20 MR. FERRALL: NOW THIS DATA SHEET, THIS DATES FROM
03:38PM 21 2008, I BELIEVE, DO YOU SEE THAT, I GUESS ON COPYRIGHT PAGE ON
03:38PM 22 THE SECOND, COPYRIGHT NOTICE ON THE SECOND PAGE. THIS IS A
03:38PM 23 2008 DATA SHEET, CORRECT.

03:38PM 24 THE WITNESS: CORRECT. I DO SEE A COPYRIGHT DATE.

03:39PM 25 Q. AND ON THE FIRST PAGE IN THE MIDDLE COLUMN, IF I COULD

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:39PM 1 DIRECT YOUR ATTENTION THERE, CISCO DESCRIBES ITS COMMAND-LINE
03:39PM 2 INTERFACE, CLI, SIMILAR TO THAT OF CISCO IOS SOFTWARE, USES THE
03:39PM 3 INDUSTRY STANDARD CISCO IOS CLI TO MINIMIZE THE AMOUNT OF TIME
03:39PM 4 NEEDED FOR OPERATORS TO LEARN THE SYSTEM AND BECOME
03:39PM 5 OPERATIONALLY PROFICIENT. THAT'S THE WAY CISCO DESCRIBED ITS
03:39PM 6 CLI IN THIS DATA SHEET?
03:39PM 7 A. CORRECT.
03:39PM 8 Q. NOW IF I COULD GO BACK TO THE DATA SHEET YOU TALKED ABOUT
03:39PM 9 FOR THE CATALYST 4900, I DON'T KNOW IF YOU HAVE THAT HANDY, IF
03:39PM 10 YOU HAVE THE OTHER BINDER HANDY, THAT WAS EXHIBIT 4269.
03:40PM 11 A. OKAY.
03:40PM 12 Q. THIS IS A DATA SHEET FROM 2010?
03:40PM 13 A. YES.
03:40PM 14 Q. AND THIS DESCRIBES A PRODUCT THAT HAS TEN GIGABIT ETHERNET
03:40PM 15 CAPABILITIES, RIGHT?
03:40PM 16 A. YES.
03:40PM 17 Q. OKAY. AND I THINK IF YOU LOOK AT PAGE 4 OF THIS DATA
03:40PM 18 SHEET, IT LISTS THE NUMBER OF PORTS OF TEN GIGABIT ETHERNET
03:40PM 19 PORTS THAT THIS SWITCH CAN ACCOMMODATE, RIGHT?
03:40PM 20 A. YES.
03:40PM 21 Q. OKAY. AND THERE'S A RANGE OF OPTIONS THERE, IT'S IN THE
03:40PM 22 FIRST COLUMN AFTER THE TEXT IN THIS CHART, RIGHT?
03:40PM 23 A. CORRECT.
03:40PM 24 Q. AND YOU WILL SEE, THERE'S A BUNCH OF DIFFERENT OPTIONS, BUT
03:40PM 25 THE MAXIMUM LISTED FOR THIS PRODUCT IN 2010 WAS 24 PORTS,

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:41PM 1

RIGHT?

03:41PM 2

A. YES.

03:41PM 3

Q. AND SO WHAT THIS CISCO PRODUCT OFFERED WAS A SWITCH WITH,

03:41PM 4

AT MOST, ONE HALF THE NUMBER OF TEN GIGABIT PORTS AS ARISTA HAD

03:41PM 5

OFFERED TWO YEARS EARLIER IN 2008, RIGHT?

03:41PM 6

A. I DO NOT KNOW WHEN ARISTA'S PRODUCT WAS AVAILABLE WITH THAT

03:41PM 7

PORT CONFIGURATION, BUT THIS IS CORRECT THIS IS THE PORT

03:41PM 8

CONFIGURATION OPTION FOR THE 4900 MODULAR SWITCH.

03:41PM 9

THE COURT: MAY I ASK THAT YOU KEEP YOUR VOICE UP. I
KNOW YOUR CHAIR DOESN'T MOVE AND THE MICROPHONE IS A LITTLE FAR
AWAY. YEAH, THAT'S DIFFICULT. I'M SORRY.

03:41PM 11

03:41PM 12

MR. FERRALL:

03:41PM 13

Q. NOW, YOU ANSWERED SOME QUESTIONS ABOUT THE VALUE OF THE

03:42PM 14

CLI, I THINK YOU WOULD AGREE THAT CISCO DOESN'T HAVE A SEPARATE
STUDY VALUING ITS COMMAND-LINE INTERFACE?

03:42PM 15

03:42PM 16

A. SO THE VALUE OF THE CLI AS I MENTIONED EARLIER IS

03:42PM 17

REPRESENTING ALL THE CAPABILITIES OF THE DEVICES WHETHER IT'S A

03:42PM 18

SWITCH OR YOUR ROUTER. IF YOU ARE ASKING SPECIFICALLY HAVE WE

03:42PM 19

RUN YOUR STUDIES ON THE MONETARY SPECIFIC VALUE OF THE CLI, NO,

03:42PM 20

WE HAVE NOT.

03:42PM 21

Q. AND CISCO DOESN'T SELL ITS COMMAND-LINE INTERFACE SEPARATE
FROM THE HARDWARE, RIGHT?

03:42PM 22

03:42PM 23

A. NO, WE DO NOT. IT'S PART OF THE OPERATING SYSTEM. THAT IS
THE BRAIN OF THE HARDWARE.

03:42PM 24

03:42PM 25

Q. AND I KNOW IT'S YOUR VIEW THAT EVERYTHING THAT CISCO BUILDS

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:51PM 1 DO YOU REMEMBER THAT?

03:51PM 2 A. SO WE LOOK AT OPTIONS FOR PROVIDING CAPABILITIES OUR
03:51PM 3 CUSTOMERS MIGHT WANT. WE HAVE LOTS OF DIFFERENT CUSTOMERS WITH
03:51PM 4 DIFFERENT NEEDS. SO SOME CUSTOMERS WILL WANT CERTAIN FEATURES.
03:51PM 5 THIS IS JUST PART OF BUILDING PRODUCTS, SOME CUSTOMERS WILL
03:51PM 6 WANT ONE TYPE OF A FEATURE VERSUS ANOTHER. SO YES, CERTAIN
03:52PM 7 CUSTOMERS WOULD ASK FOR PROGRAMMATIC INTERFACES, WHEREAS OTHERS
03:52PM 8 MAY NOT.

03:52PM 9 Q. OKAY. WELL, I GUESS A FEW MONTHS LATER, THREE MONTHS LATER
03:52PM 10 IN ABOUT FEBRUARY 2014, DO YOU REMEMBER A DISCUSSION WITH YOUR
03:52PM 11 COLLEAGUES IN WHICH THEY RECOGNIZED THAT IT WAS ARISTA, NOT
03:52PM 12 CISCO, WHO HAD THE BEST DEVICE PROGRAMMABILITY AVAILABLE AT
03:52PM 13 THAT TIME, DO YOU REMEMBER THAT DISCUSSION?

03:52PM 14 A. YES, I DO.

03:52PM 15 Q. SO LET'S LOOK AT EXHIBIT 6736 IN YOUR BINDER. DO YOU HAVE
03:52PM 16 THAT IN FRONT OF YOU?

03:52PM 17 A. YES, I DO.

03:52PM 18 Q. THIS IS AN E-MAIL THAT -- IN WHICH YOU ARE COPIED ON,
03:52PM 19 CORRECT?

03:53PM 20 A. YES.

03:53PM 21 Q. AND IT IS FROM YOUR COLLEAGUES AT CISCO, RIGHT?

03:53PM 22 A. CORRECT. THESE ARE FROM THE TACTICAL MARKETING ENGINEER,
03:53PM 23 IT IS LEADER OF THE TECHNICAL MARKETING ENGINEERING TEAM.
03:53PM 24 THEIR JOB IS TO ESSENTIALLY GET COMPETITIVE CAPABILITIES IN THE
03:53PM 25 MARKET AND BE VERY VIGILANT AND THEY ARE KIND OF LIKE THE

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:53PM 1 PEOPLE WHO WANT TO MAKE SURE THAT WE ARE ALWAYS LOOKING OUT TO
03:53PM 2 MAKE SURE THAT WE BUILD BETTER CAPABILITIES THAN THE
03:53PM 3 COMPETITION.

03:53PM 4 Q. OKAY.

03:53PM 5 MR. FERRALL: YOUR HONOR, I WOULD OFFER EXHIBIT 6736
03:53PM 6 IN EVIDENCE.

03:53PM 7 THE COURT: ANY OBJECTION?

03:53PM 8 MR. NELSON: NO OBJECTION, YOUR HONOR.

03:53PM 9 THE COURT: IT WILL BE ADMITTED.

03:53PM 10 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 6736, HAVING BEEN
03:53PM 11 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
03:53PM 12 EVIDENCE.)

03:53PM 13 MR. FERRALL:

03:53PM 14 Q. SO IF WE CAN LOOK AT THIS A LITTLE MORE CLOSELY, THIS IS AT
03:53PM 15 THE TOP, THIS IS AN E-MAIL FROM MR. KUMAR REDDY HE'S THE SENIOR
03:53PM 16 MANAGER OF TECHNICAL MARKETING ENGINEERING AT CISCO, RIGHT?

03:53PM 17 A. CORRECT.

03:53PM 18 Q. AND YOU ARE ON THE CC LINE?

03:53PM 19 A. YES.

03:53PM 20 Q. AND I WON'T GO THROUGH ALL THE NAMES HERE, BUT AMONG THE
03:54PM 21 PEOPLE IS MR. PRADEEP KATHAIL?

03:54PM 22 A. CORRECT.

03:54PM 23 Q. AND HE'S PRETTY SENIOR AT CISCO, RIGHT?

03:54PM 24 A. YES.

03:54PM 25 Q. HE IS CHIEF SOFTWARE ARCHITECT, THAT'S HIS TITLE, I THINK?

CROSS-EXAMINATION OF MS. BAKAN BY MR. FERRALL

03:54PM 1 A. I BELIEVE SO, YES.

03:54PM 2 Q. SO FEBRUARY 2014, MR. REDDY WAS WRITING TO YOU ALL AND

03:54PM 3 SAYING IN THE FIRST PARAGRAPH THERE AT THE TOP, ARISTA HAS

03:54PM 4 ARGUABLY THE BEST DEVICE PROGRAMMABILITY TODAY?

03:54PM 5 A. SO THIS WAS THREE MONTHS AFTER --

03:54PM 6 Q. LET ME ASK YOU THE NEXT QUESTION. HE GOES ON TO SAY, WE

03:54PM 7 NEED TO EQUAL OR EXCEED WHAT THEY CAN DO, RIGHT?

03:54PM 8 A. THIS IS HIS OPINION, CORRECT.

03:54PM 9 Q. HAS OPINION IS CISCO HAS GOT SOME CATCHES UP TO DO, RIGHT?

03:54PM 10 A. THIS IS HIS OPINION, CORRECT.

03:54PM 11 Q. AND AMONG THE THINGS HE LISTS THAT CISCO NEEDS TO EQUAL OR

03:55PM 12 EXCEED IS, LET'S GO TO THE SECOND ONE, REST JSON INTERFACE TO

03:55PM 13 CLI?

03:55PM 14 A. YES.

03:55PM 15 Q. SO YOU UNDERSTOOD HIS VIEW WAS THAT CISCO NEEDS TO DEVELOP

03:55PM 16 A JSON INTERFACE TO CLI TO CATCH UP TO ARISTA, AS OF THIS TIME,

03:55PM 17 RIGHT?

03:55PM 18 A. CORRECT -- WELL, YES. I THINK IT'S BASICALLY SAYING THAT

03:55PM 19 WE HAVE TO BUILD THOSE INTERFACES. I DON'T KNOW THAT IT'S

03:55PM 20 SAYING THAT WE HAVE TO DO THAT TO CATCH UP WITH ARISTA, IT

03:55PM 21 DOESN'T SAY THAT HERE.

03:55PM 22 Q. OKAY. YOU RECOGNIZE SOME OF THOSE OTHER FEATURES THAT

03:55PM 23 MR. REDDY IS TALKING ABOUT THERE ARE ARISTA INNOVATIONS LIKE IN

03:55PM 24 THE THIRD BULLET POINT, VM TRACE, THAT'S AN ARISTA INNOVATION,

03:56PM 25 RIGHT?

REDIRECT EXAMINATION OF MS. BAKAN BY MR. NELSON

03:56PM 1 A. I'M NOT AWARE OF THAT PARTICULAR TECHNOLOGY.

03:56PM 2 Q. OKAY. YOU ARE AWARE THAT CISCO LATER CAME OUT WITH A
03:56PM 3 VERSION OF THAT CALLED VM TRACKER; ARE YOU FAMILIAR WITH THAT?

03:56PM 4 A. NO.

03:56PM 5 Q. LANS. DO YOU KNOW THAT AS AN ARISTA INNOVATION?

03:56PM 6 A. NO, I DO NOT.

03:56PM 7 MR. FERRALL: ALL RIGHT.

03:56PM 8 NO FURTHER QUESTIONS, YOUR HONOR.

03:56PM 9 THANK YOU.

03:56PM 10 THE COURT: MR. NELSON, ANY REDIRECT FOR THIS
03:56PM 11 WITNESS?

03:56PM 12 MR. NELSON: THANK YOU, YOUR HONOR.

03:56PM 13

03:56PM 14 **REDIRECT EXAMINATION BY MR. NELSON**

03:56PM 15

03:56PM 16 BY MR. NELSON:

03:56PM 17 Q. GOOD AFTERNOON.

03:56PM 18 A. HELLO.

03:56PM 19 Q. SO I JUST HAVE A FEW QUESTIONS FOR YOU?

03:56PM 20 A. SURE.

03:56PM 21 Q. THERE WAS SOME QUESTIONS ASKED ABOUT AUTOMATION, DO YOU
03:56PM 22 RECALL?

03:56PM 23 A. YES.

03:56PM 24 Q. CAN YOU EXPLAIN TO US WHAT THAT IS?

03:56PM 25 A. SO AUTOMATION IS A MECHANISM BY WHICH YOU, FOR AUTOMATING

REDIRECT EXAMINATION OF MS. BAKAN BY MR. NELSON

03:58PM 1 AND PROVIDE TO CUSTOMERS TODAY.

03:58PM 2 Q. OKAY. AND WHAT KINDS OF THINGS, BASED ON YOUR EXPERIENCE

03:58PM 3 WITH THE CUSTOMERS, WOULD THEY USE THE AUTOMATION TOOLS FOR?

03:58PM 4 A. GREAT QUESTION. SO AUTOMATION TOOLS ARE USED MOSTLY TO

03:58PM 5 CONDUCT OPERATIONS, ESSENTIALLY ISSUE COMMANDS TO ESSENTIALLY

03:58PM 6 MANAGE THE NETWORK IN THE A VERY STEADY STATE ENVIRONMENT.

03:58PM 7 WITH AUTOMATION YOU DON'T GET TO TROUBLE SHOOT THE NETWORK.

03:58PM 8 IF THE NETWORK IS GOING BAD, AND IF THE NETWORK IS FAILING,

03:58PM 9 AUTOMATION TOOLS, WHICH ARE ESSENTIALLY JUST CONFIGURING THE

03:59PM 10 DEVICES TO ESSENTIALLY PROVIDE A CERTAIN FUNCTIONALITY, THOSE

03:59PM 11 TOOLS WILL NOT THEN TROUBLE SHOOT THE DEVICES. THOSE ARE

03:59PM 12 DIFFERENT TYPE OF TECHNOLOGIES IN ITSELF. VERY DIFFERENT TYPE

03:59PM 13 OF CAPABILITY THAN AUTOMATION TECHNOLOGIES. THOSE ARE

03:59PM 14 TYPICALLY CALLED MONITORING AND TROUBLE SHOOTING TOOLS.

03:59PM 15 WITH CLI, CLI PROVIDES INHERENT CAPABILITY ON THE DEVICE

03:59PM 16 WHERE YOU COULD ISSUE ALL OF THOSE COMMANDS TO ESSENTIALLY

03:59PM 17 CONFIGURE THE DEVICE, MANAGE THE DEVICE, AS WELL AS TROUBLE

03:59PM 18 SHOOT THE DEVICE.

03:59PM 19 Q. SO THEN BASED UPON YOUR EXPERIENCE WITH THE CUSTOMERS THAT

03:59PM 20 YOU DESCRIBED, EVEN WITH THESE AUTOMATION TOOLS, DID CUSTOMERS

03:59PM 21 STILL USE CLI?

03:59PM 22 A. ABSOLUTELY.

03:59PM 23 Q. AND FOR WHAT KINDS OF THINGS?

03:59PM 24 A. WELL, IT'S THE MOST TRUSTWORTHY MECHANISM BY WHICH YOU CAN

04:00PM 25 GET INFORMATION ABOUT WHAT'S HAPPENING ON THE DEVICE.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:10PM 1 A NEW TECHNOLOGY AREA THAT I COULD BECOME EXPERT IN.

04:10PM 2 Q. AND DID YOU FIND SOMETHING THAT PEAKED YOUR INTEREST?

04:10PM 3 A. YES, NETWORKING. NETWORKING WAS SOMETHING THAT WAS A BIG
04:10PM 4 THING AT STANFORD IN THOSE DAYS.

04:10PM 5 Q. AND AT THE TIME AS PART OF YOUR EMPLOYMENT AGREEMENT WITH
04:10PM 6 STANFORD, DID YOU HAVE ANY RESTRICTIONS ON TYPE OF SIDE
04:10PM 7 PROJECTS THAT YOU COULD WORK ON?

04:10PM 8 A. NO. AS LONG AS I KEPT THE COMPUTERS UP AND RUNNING AND THE
04:10PM 9 FACULTY AND THE STAFF, THE FACULTY AND THE STUDENTS HAPPY, IN
04:10PM 10 THAT ORDER, I COULD DO WHAT I WANT.

04:10PM 11 Q. GREAT. AND THEN DID YOU EVENTUALLY FIND A SPECIFIC
04:10PM 12 NETWORKING PROJECT THAT YOU WERE INTERESTED IN WORKING ON?

04:10PM 13 A. YES, I DID.

04:10PM 14 Q. WHAT WAS THAT PROJECT?

04:10PM 15 A. I WAS BUILDING AN IP ROUTER.

04:10PM 16 Q. AN IP ROUTER?

04:11PM 17 A. YES.

04:11PM 18 Q. CAN YOU TELL THE LADIES AND GENTLEMEN OF THE JURY WHAT AN
04:11PM 19 IP ROUTER WAS AT THAT TIME?

04:11PM 20 A. SO IP IS AN ACRONYM FOR INTERNET PROTOCOL. IT'S A STANDARD
04:11PM 21 WAY OF COMMUNICATING BETWEEN COMPUTERS OVER A NETWORK, AND A
04:11PM 22 ROUTER IS A DEVICE THAT CONNECTS NETWORKS TOGETHER.

04:11PM 23 ONE VERY COMMON USE OF A ROUTER IS IF YOU HAVE A HOME
04:11PM 24 NETWORK, COMPUTER ON THAT, IT SPEAKS IP, AND YOU WANT TO TALK
04:11PM 25 TO SOME COMPUTER OFF IN SOME OTHER PART OF THE WORLD, YOU WILL

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:11PM 1 SEND DATA TO YOUR ROUTER, THE ROUTER WILL LOOK AT WHAT'S CALLED
04:11PM 2 AN IP ADDRESS ON THAT DATA, AND THEN IT WILL FORWARD IT TO THE
04:11PM 3 SERVICE PROVIDER'S NETWORK, LIKE I SAID, AT&T OR COMCAST OR
04:11PM 4 WHOEVER IS PROVIDING THE SERVICE, AND THEN IT WILL THEN,
04:11PM 5 SUBSEQUENT ROUTERS WILL TAKE THAT DATA, PICK IT UP, LOOK AT
04:12PM 6 THAT IP ADDRESS AND SAY, OKAY, AND IT GOES HERE, IT GOES HERE,
04:12PM 7 IT GOES HERE UNTIL IT FINALLY REACHES ITS DESTINATION.

04:12PM 8 IT'S VERY MUCH LIKE THE POSTAL SYSTEM WHERE YOU WRITE AN
04:12PM 9 ADDRESS ON A LETTER AND THEN YOU POST THE LETTER AND THE POSTAL
04:12PM 10 SYSTEM BASICALLY PASSES THAT LETTER AROUND INSIDE ITSELF UNTIL
04:12PM 11 IT GETS DELIVERED AT THE OTHER END.

04:12PM 12 Q. AND, MR. LOUGHEED, DID YOU END UP WRITING YOUR OWN COMPUTER
04:12PM 13 CODE FOR THIS IP ROUTING PROJECT?

04:12PM 14 A. YES, I DID.

04:12PM 15 Q. AND AT THAT TIME IN THE 1985, 1986 TIMEFRAME, WAS THERE AN
04:12PM 16 OPPORTUNITY TO DEMONSTRATE THIS IP ROUTER SOFTWARE THAT YOU HAD
04:12PM 17 WRITTEN?

04:12PM 18 A. LEN BOSACK TOOK A COPY OF THE SOFTWARE OVER TO HP LABS
04:12PM 19 WHERE HE HAD BEEN A CONSULTANT, BASICALLY SHOWED THEM WHAT THE
04:12PM 20 SOFTWARE AND THE HARDWARE COULD DO. AND HP WAS VERY INTERESTED
04:12PM 21 IN IT AND ACTUALLY SUGGESTED SOME IMPROVEMENTS AND ENHANCEMENTS
04:13PM 22 TO THE SOFTWARE.

04:13PM 23 Q. AND IN ADDITION TO THIS PRIVATE DEMONSTRATION WITH HP LABS,
04:13PM 24 WAS THERE AN OPPORTUNITY TO DEMONSTRATE THE SOFTWARE TO A
04:13PM 25 LARGER PUBLIC?

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:17PM 1 IT'S ABOUT 19 INCHES WIDE BY ABOUT A FOOT OR SO HIGH, AND MAYBE
04:18PM 2 18 INCHES OR 18 INCHES OR 20 INCHES DEEP.

04:18PM 3 Q. WHEN YOU SAY AGS, WHAT DOES THAT STAND FOR?

04:18PM 4 A. THAT STANDS FOR ADVANCED GATEWAY SERVER. GATEWAY BEING AN
04:18PM 5 OLD NAME FOR WHAT WE NOW CALL A ROUTER.

04:18PM 6 Q. AND WHAT WAS SO EXCITING ABOUT THE NEW AGS ROUTER THAT WE
04:18PM 7 ARE LOOKING AT HERE?

04:18PM 8 A. SO IT WAS ONE OF THE FIRST COMMERCIALY AVAILABLE IP
04:18PM 9 ROUTERS, AND USING INTERNET TECHNOLOGY AND THESE ROUTERS, YOU
04:18PM 10 COULD ACTUALLY BUILD VERY LARGE SCALE NETWORKS FOR THE FIRST
04:18PM 11 TIME. YOU COULD BUILD -- A BUSINESS COULD BUY THESE AND
04:18PM 12 CONNECT COMPUTERS ACROSS THE COUNTRY.

04:18PM 13 PREVIOUSLY, IF YOU WANTED TO DO SOMETHING LIKE THAT, YOU
04:18PM 14 EITHER HAD TO BUY THE SAME TECHNOLOGY THAT THE GOVERNMENT USED
04:18PM 15 FOR THE ARPA, AND THE ARPA CONTRACTOR WASN'T PARTICULARLY
04:18PM 16 INTERESTED IN SELLING YOU THAT STUFF, EITHER.

04:19PM 17 OR YOU USED -- THE TECHNOLOGY WAS CALLED BRIDGING
04:19PM 18 TECHNOLOGY WHICH PRETENDED THAT EVERYTHING WAS ONE BIG ETHERNET
04:19PM 19 CABLE. AND THAT WORKED FOR A FEW HUNDRED COMPUTERS AND AFTER
04:19PM 20 THAT IT JUST -- YOU WOULD FAIL. YOU COULDN'T DO MUCH MORE THAN
04:19PM 21 THAT.

04:19PM 22 Q. AND IN ADDITION TO HP LABS AND THE UNIVERSITIES, WERE THERE
04:19PM 23 SOME OTHER EARLY CUSTOMERS OF AGS AT THE TIME?

04:19PM 24 A. YES. BOEING AIRCRAFT WAS ONE OF OUR EARLY CUSTOMERS. WE
04:19PM 25 INSTALLED -- THEY HAD A LARGE BRIDGED NETWORK, AND WE INSTALLED

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:21PM 1 MENLO PARK.

04:21PM 2 AND THEN EVENTUALLY WE NEEDED TO HAVE BADGES TO GET ACCESS
04:21PM 3 TO THE BUILDING. AND WHEN IT CAME TIME TO ASSIGN EMPLOYEE --
04:21PM 4 ASSIGN BADGE NUMBERS, WE GAVE BADGE 1 TO CECILIA BECAUSE THAT
04:21PM 5 WAS OUR WAY OF HONORING HER AND RESPECTING HER; SANDY HAD BADGE
04:21PM 6 2; LEN HAD BADGE 3, AND I HAD BADGE 4.

04:21PM 7 Q. ALL RIGHT.

04:21PM 8 NOW, SWITCHING GEARS TO TALK ABOUT THE SPECIFIC
04:21PM 9 RESPONSIBILITIES YOU HAD IN THE EARLY DAYS OF CISCO, WHAT WERE
04:21PM 10 YOU WORKING ON PRIMARILY AT CISCO?

04:21PM 11 A. I WAS WORKING ON THE SOFTWARE.

04:21PM 12 Q. AND DID YOU WORK ON THE CISCO SOFTWARE ALSO INCLUDING WORK
04:21PM 13 ON THE USER INTERFACE FOR THAT SOFTWARE?

04:21PM 14 A. YES, I DID.

04:21PM 15 Q. WHO DECIDED ULTIMATELY WHAT TYPE OF USER INTERFACE CISCO
04:21PM 16 WOULD ELECT TO USE FOR ITS ROUTERS?

04:21PM 17 A. THAT WAS MY DECISION.

04:21PM 18 Q. AND WHEN DID YOU MAKE THAT DECISION?

04:21PM 19 A. IN THE 1986 TIMEFRAME.

04:21PM 20 Q. AND WE ARE GOING TO GET A LOT MORE INTO SPECIFICS OF THE
04:22PM 21 USER INTERFACE, BUT GENERALLY SPEAKING WHAT TYPE OF INTERFACE
04:22PM 22 DID YOU SELECT FOR CISCO?

04:22PM 23 A. WHAT'S CALLED A COMMAND-LINE INTERFACE.

04:22PM 24 Q. WHEN YOU SAY COMMAND-LINE INTERFACE, CAN YOU BRIEFLY
04:22PM 25 DESCRIBE FOR THE JURY WHAT THAT MEANS?

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:22PM 1 A. SO A COMMAND-LINE INTERFACE, OR A CLI, IS AN INTERFACE
04:22PM 2 WHERE IT'S BASICALLY A TEXTUAL INTERFACE WHERE YOU TYPE A
04:22PM 3 SERIES OF WORDS, THEN PRESS RETURN, AND THE COMPUTER AT THE
04:22PM 4 OTHER END INTERPRETS THOSE WORDS TO DO WHATEVER IT IS YOU
04:22PM 5 WANTED IT TO DO.

04:22PM 6 Q. SO LET'S TAKE A LOOK AT SLIDE 6 FROM YOUR SLIDE DECK. AND
04:22PM 7 WHAT ARE WE LOOKING AT ON THIS SLIDE?

04:22PM 8 A. THIS IS THE STARTUP SCREEN WHEN YOU POWER ON A CISCO ROUTER
04:22PM 9 OR SWITCH FOR THE FIRST TIME.

04:22PM 10 Q. OKAY. AND THEN IF WE CLICK TO THE NEXT SLIDE, WHAT ARE WE
04:22PM 11 LOOKING AT HERE?

04:22PM 12 A. THIS IS THE CONTINUATION OF THE STARTUP SCREENS. IT WILL
04:22PM 13 TELL YOU WHAT THE VERSION, IT WILL TELL YOU WHAT TYPE OF
04:23PM 14 SOFTWARE, WHAT VERSION OF THE SOFTWARE, WHERE TO GET SUPPORT,
04:23PM 15 COPYRIGHT INFORMATION. AND THEN IT GIVES YOU A LISTING OF THE
04:23PM 16 HARDWARE CONFIGURATION OF THE SYSTEM.

04:23PM 17 Q. AND WHEN YOU SAY COMMAND-LINE INTERFACE, WHERE IS THE
04:23PM 18 COMMAND LINE IN THIS INTERFACE?

04:23PM 19 A. WAY DOWN AT THE BOTTOM OF THE SCREEN, SOMEBODY HAS
04:23PM 20 PRESUMABLY PRESSED THE RETURN KEY AND THAT WORD SWITCH WITH AN
04:23PM 21 ANGLED BRACKET AFTER IT IS THE -- IS WHERE THE COMMAND LINE
04:23PM 22 STARTS.

04:23PM 23 Q. SO THERE'S A BLINKING CURSER. IS THAT WHERE YOU TYPE IN
04:23PM 24 WORDS?

04:23PM 25 A. IT'S WAITING FOR YOU TO TYPE.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:23PM 1 Q. AND LET'S WALK THROUGH SOME EXAMPLES OF COMMANDS AND SEE
04:23PM 2 HOW YOUR USER INTERFACE WORKED AT THE TIME. SO CAN YOU TELL US
04:23PM 3 WHAT'S HAPPENING WITH THIS PARTICULAR COMMAND THAT YOU ARE
04:23PM 4 TYPING?

04:23PM 5 A. WELL, THE COMMAND IS -- OF COURSE SHOW INTERFACES, AND
04:23PM 6 AFTER YOU PRESS THE RETURN KEY, IT WILL SHOW YOU STATUS
04:23PM 7 INFORMATION ABOUT THE -- THE INTERFACES IN THE SYSTEM.

04:24PM 8 Q. AND WHEN YOU SAY INTERFACES IN THE SYSTEM, WHAT ARE YOU
04:24PM 9 REFERRING TO?

04:24PM 10 A. I'M REFERRING TO THE, ESSENTIALLY -- THIS IS WHERE THE
04:24PM 11 NETWORK IS ATTACHED. THESE ARE THE ATTACHMENT POINTS FOR THE
04:24PM 12 NETWORK.

04:24PM 13 Q. WE HAVE A PICTURE OF SOMETHING THAT LOOKS LIKE A ROUTER OR
04:24PM 14 SWITCH ON THE BOTTOM?

04:24PM 15 A. YES.

04:24PM 16 Q. WHAT GENERATES THE SCREEN OUTPUT?

04:24PM 17 A. THE ROUTER OR THE SWITCH ACTUALLY GENERATES THE OUTPUT.

04:24PM 18 Q. I TAKE IT YOU COULD GO THROUGH AND ENTER MORE COMMANDS AND
04:24PM 19 SEE MORE OUTPUTS AND THAT'S HOW YOU INTERACT WITH THE SYSTEM?

04:24PM 20 A. THAT IS INDEED THE CASE.

04:24PM 21 Q. AND AT THE TIME -- WHY DID YOU SELECT IN 1986 WHEN YOU WERE
04:24PM 22 WORKING ON THIS FIRST IP ROUTER, WHY DID YOU END UP SELECTING A
04:24PM 23 TEXT-BASED COMMAND-LINE INTERFACE?

04:25PM 24 A. BECAUSE IT WAS BECOMING CLEAR AT THE TIME THAT I WAS GOING
04:25PM 25 TO BE ADDING ADDITIONAL FUNCTIONALITY TO THE SYSTEM, AND I

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:25PM 1 WANTED A USER INTERFACE THAT I COULD EXTEND.

04:25PM 2 Q. WHEN YOU SAY EXTEND, WHAT DO YOU MEAN BY EXTEND?

04:25PM 3 A. I MEAN THAT I COULD ADD NEW FUNCTIONALITY TO IT AND NOT
04:25PM 4 NECESSARILY HAVE TO START OVER AGAIN EVERY TIME I HAD A NEW
04:25PM 5 FUNCTIONALITY.

04:25PM 6 Q. AND HOW DOES A TEXT-BASED COMMAND-LINE INTERFACE LIKE THIS
04:25PM 7 ALLOW YOU TO EXTEND THE FUNCTIONALITY OF AN OPERATING SYSTEM?

04:25PM 8 A. IT -- SO, IT'S WORD-BASED AND WORDS ARE REAL EASY TO USE TO
04:25PM 9 COMMUNICATE WHAT YOU ARE WANTING. IT'S SORT OF TELEGRAPHIC
04:25PM 10 STYLE OF COMMUNICATION, BUT IT IS A MEANS OF COMMUNICATION.

04:25PM 11 Q. OKAY. AND DID YOU CONSIDER AT THE TIME SOME OTHER WAYS OF
04:25PM 12 PROVIDING A USER INTERFACE?

04:25PM 13 A. YES, WE DID. WE CONSIDERED MENUS, AND WE CONSIDERED WHAT'S
04:26PM 14 CALLED A GUI.

04:26PM 15 Q. OKAY. SO LET'S TAKE A LOOK AT SLIDE 11.

04:26PM 16 CAN YOU EXPLAIN BRIEFLY TO THE JURY WHAT ARE THE OTHER
04:26PM 17 TYPES OF USER INTERFACES THAT YOU HAD CONSIDERED INSTEAD OF A
04:26PM 18 COMMAND-LINE INTERFACE?

04:26PM 19 A. SO ONE OF THEM WAS A GUI, OR GRAPHICAL USER INTERFACE.
04:26PM 20 THAT'S A USER INTERFACE THAT BASICALLY DRAWS PICTURES AND USES
04:26PM 21 A MOUSE, OR SOMETHING LIKE THAT, TO POINT AT VARIOUS THINGS
04:26PM 22 THAT YOU CAN GO AND CLICK AND SELECT AND THE LIKE.

04:26PM 23 A MENU-DRIVEN INTERFACE BASICALLY GIVES YOU A MENU OF ITEMS
04:26PM 24 AND YOU SELECT A PARTICULAR MENU ITEM AND THEN GO ON AND SELECT
04:26PM 25 FROM OTHER MENUS BASED ON THAT.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:26PM 1 THEN THERE'S THE COMMAND-LINE INTERFACE WHICH IS BASICALLY
04:26PM 2 TYPING A SENTENCE OF WORDS.

04:26PM 3 Q. SO WHY DID YOU END UP USING THE TEXT-BASED COMMAND-LINE
04:26PM 4 INTERFACE OVER THESE OTHER POSSIBLE USER INTERFACE DESIGNS?

04:26PM 5 A. SO GUI INTERFACES REQUIRED SOME HARDWARE SUPPORT THAT WE
04:26PM 6 DIDN'T HAVE AND WE WEREN'T WILLING TO ADD. AND GUIS WERE VERY,
04:27PM 7 VERY NEW AT THE TIME. THIS WAS 1986, AND GUIS, LIKE I SAID,
04:27PM 8 WERE VERY NEW TECHNOLOGY THEN.

04:27PM 9 MENU-DRIVEN INTERFACES ARE EXTREMELY SLOW AND CLUNKY AND
04:27PM 10 ARE NOT VERY EXPRESSIVE. IT'S HARD TO TELL WHAT'S GOING ON
04:27PM 11 WHEN YOU HAVE A MENU-DRIVEN INTERFACE.

04:27PM 12 Q. NOW, JUST TO BE CLEAR ON THE RECORD, YOU ARE NOT THE FIRST
04:27PM 13 PERSON IN THE WORLD TO COME UP WITH A PARTICULAR COMMAND-LINE
04:27PM 14 INTERFACE?

04:27PM 15 A. OH, NO, NO. THAT WAS HOW WE DID THINGS IN THOSE DAYS.

04:27PM 16 Q. RIGHT. AND THE QUESTION IS THEN, WHY DID YOU NOT JUST USE
04:27PM 17 SOMEBODY ELSE'S EXISTING COMMAND-LINE INTERFACE FOR THE CISCO
04:27PM 18 PRODUCTS?

04:27PM 19 A. BECAUSE I HAD A NEW PROBLEM. I HAD A NEW TECHNOLOGY.
04:27PM 20 THERE WERE NOT -- THE AGS WAS ONE OF THE FIRST COMMERCIAL IP
04:27PM 21 ROUTERS, IT WAS A COMPLETELY NEW TECHNOLOGY. NOBODY KNEW WHAT
04:27PM 22 AN IP ROUTER WAS. NOBODY WAS SHIPPING ONE. I ACTUALLY HADN'T
04:27PM 23 SEEN ANYONE OTHER THAN WHAT I WAS CREATING.

04:28PM 24 SO THERE WERE JUST, THERE WERE NEW DEMANDS THAT THE OTHER,
04:28PM 25 OLDER COMMAND-LINE INTERFACES WOULD JUST NOT SUPPORT.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:28PM 1 Q. AND WHAT ARE SOME OF THE THINGS YOU DID DIFFERENTLY WITH
04:28PM 2 YOUR COMMAND-LINE INTERFACE COMPARED TO WHAT EXISTED PRIOR TO
04:28PM 3 YOUR WORK AT CISCO?

04:28PM 4 A. WELL, I MENTIONED THAT I WANTED TO MAKE IT EXTENSIBLE, AND
04:28PM 5 ONE WAY THAT I FELT THAT I KNEW HOW TO DO TO MAKE IT EXTENSIBLE
04:28PM 6 SO I COULD ADD THINGS EASILY WAS TO CREATE HIERARCHIES.

04:28PM 7 Q. OKAY. AND WHEN YOU SAY THE WORD "HIERARCHY," CAN YOU
04:28PM 8 EXPLAIN TO THE JURY WHAT YOU MEAN BY HIERARCHY?

04:28PM 9 A. SO WE ARE GOING TO HAVE TO UNPACK THIS A LITTLE, OR UNPACK
04:28PM 10 THIS A LITTLE BIT. I THINK THE BEST PLACE TO START WOULD BE
04:28PM 11 WITH OTHER DISCUSSIONS OF MODES.

04:28PM 12 Q. SO LET'S DO THAT. WHY DON'T WE LOOK AT SLIDE 12. CAN YOU
04:28PM 13 EXPLAIN TO US WHAT WE ARE LOOKING AT ON SLIDE 12?

04:28PM 14 A. SO WHAT WE ARE LOOKING AT IS A GRAPHICAL REPRESENTATION OF
04:28PM 15 WHAT WE CALL THE USER EXEC MODE. IT'S THE TOP LEVEL MODE, IT'S
04:29PM 16 THE OUTER MOST ONE, IF YOU WILL. AND IT'S IDENTIFIED BY A
04:29PM 17 PROMPT WHICH IS THE NAME OF THE SYSTEM. IN ONE OF OUR EXAMPLES
04:29PM 18 IT WILL BE THE WORD SWITCH, BUT CUSTOMERS CAN NAME THIS DEVICE
04:29PM 19 WHATEVER THEY WANT. AND THEN IT HAS A RIGHT ANGLED BRACKET.

04:29PM 20 Q. LIKE A KARET SIGN?

04:29PM 21 A. A KARET, YES.

04:29PM 22 Q. AND SO WOULD THIS BE THE MODE THAT YOU ENTER AS SOON AS YOU
04:29PM 23 TURN ON THE ROUTER?

04:29PM 24 A. AS SOON AS YOU TURN ON THE ROUTER AND PRESS THE RETURN KEY
04:29PM 25 AND YOU WILL GET A PROMPT, THE NAME OF THE DEVICE WITH AN

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:29PM 1

ANGLED BRACKET.

04:29PM 2

Q. WHAT ARE THE TYPES OF COMMANDS YOU COULD USE IN THE USER

04:29PM 3

EXEC MODE?

04:29PM 4

A. SAFE COMMANDS. THIS IS SORT OF THE -- THIS IS THE

04:29PM 5

UNPRIVILEGED LEVEL. THE THINGS LIKE SHOW COMMANDS LIKE SHOW

04:29PM 6

INTERFACES. YOU CAN SORT OF SEE WHAT'S GOING ON IN THE SYSTEM

04:29PM 7

BUT YOU CAN'T ACTUALLY AFFECT IT IN ANY SIGNIFICANT WAY.

04:30PM 8

Q. OKAY. LET'S TAKE A LOOK AT THE NEXT SLIDE. WHAT ARE WE

04:30PM 9

LOOKING AT ON THE NEXT VERSION OF SLIDE 12?

04:30PM 10

A. THIS IS A REPRESENTATION OF THE MODE UNDERNEATH THE EXEC

04:30PM 11

MODE. THIS IS WHAT WE CALL THE PRIVILEGED EXEC. AND ITS

04:30PM 12

PROMPT IS THE NAME OF THE DEVICE AND A HASH MARK OR A POUND

04:30PM 13

SIGN FOLLOWING.

04:30PM 14

AND THESE ARE COMMANDS THAT ARE MUCH MORE POWERFUL, YOU

04:30PM 15

COULD RELOAD THE SYSTEM, YOU COULD CONFIGURE THE SYSTEM.

04:30PM 16

BASICALLY THERE'S SUFFICIENT POWER IN THIS MODE THAT TYPICALLY

04:30PM 17

CUSTOMERS WILL CONFIGURE A PASSWORD THAT HAS TO BE GIVEN BEFORE

04:30PM 18

THEY ENTER INTO THE PRIVILEGED MODE.

04:30PM 19

Q. HOW WOULD YOU GET TO THE USER EXEC MODE TO THE PRIVILEGED

04:30PM 20

MODE?

04:30PM 21

A. I WOULD GIVE THE COMMAND ENABLE, THEN IF THERE'S A

04:30PM 22

PASSWORD, I WOULD HAVE TO TYPE A PASSWORD.

04:30PM 23

Q. AND JUST TO MAKE SURE WE HAVE A CLEAR ILLUSTRATION OF THE

04:30PM 24

PROMPTS, WHICH PROMPT ARE WE LOOKING AT ON SLIDE 13 WITH THE

04:31PM 25

KARET SIGN?

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:31PM 1 A. YOU ARE LOOKING AT THE USER EXEC, THE UNPRIVILEGED LEVEL.

04:31PM 2 Q. THEN IF WE LOOK AT THE NEXT SLIDE, SLIDE 14 WITH THE HASH
04:31PM 3 SIGN, WHICH PROMPT IS THAT?

04:31PM 4 A. THAT'S THE PRIVILEGED MODE.

04:31PM 5 Q. NOW, DID YOU STOP THERE? DID YOU STOP WITH JUST THE TWO
04:31PM 6 MODES WE HAVE BEEN DISCUSSING?

04:31PM 7 A. NO. OTHERS HAVE HAD IDEAS OF TWO-LEVEL MODES, NORMAL USER
04:31PM 8 AND PRIVILEGED MODE. I ADDED A MODE CALLED THE GLOBAL
04:31PM 9 CONFIGURATION MODE.

04:31PM 10 Q. THAT'S SLIDE 15. CAN YOU EXPLAIN TO THE JURY WHAT IS THE
04:31PM 11 GLOBAL CONFIGURATION MODE?

04:31PM 12 A. THAT'S THE MODE WHERE WE GIVE COMMANDS THAT ACTUALLY CHANGE
04:31PM 13 HOW THE DEVICE OPERATES. WE TELL IT ABOUT NETWORK ADDRESSES,
04:31PM 14 WE TELL IT ABOUT NETWORK PROTOCOLS, WE TURN ON SOFTWARE. WE
04:31PM 15 TELL IT WHAT IT NEEDS TO KNOW TO ACTUALLY DO ITS JOB.

04:31PM 16 Q. AND HOW DO YOU GET TO THE GLOBAL CONFIGURATION MODE IN YOUR
04:31PM 17 USER INTERFACE?

04:31PM 18 A. THE COMMAND CONFIGURE TERMINAL.

04:32PM 19 Q. AND WAS THERE ANOTHER MODE THAT YOU CAME UP WITH IN
04:32PM 20 ADDITION TO THE GLOBAL CONFIGURATION?

04:32PM 21 A. YES. THERE'S A MODE UNDERNEATH THIS CALLED THE USER
04:32PM 22 INTERFACE CONFIGURATION MODE.

04:32PM 23 Q. OKAY. BEFORE WE DO THAT, JUST TO BE CLEAR ON THE RECORD,
04:32PM 24 IS THERE A PROMPT THAT'S ASSOCIATED WITH THE CONFIGURATION
04:32PM 25 MODE?

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:32PM 1 A. YES. IT'S THE NAME OF THE DEVICE, THEN IN PARENTHESIS
04:32PM 2 CONFIG, THEN A HASH MARK.

04:32PM 3 Q. SO WHEN THE USER SEES THAT THEY KNOW THEY ARE IN THE
04:32PM 4 CONFIGURATION MODE NOW?

04:32PM 5 A. YES.

04:32PM 6 Q. SO LET'S GO BACK AND LOOK AT SLIDE 17. WHAT IS THIS USER
04:32PM 7 INTERFACE CONFIGURATION MODE YOU CAME UP WITH?

04:32PM 8 A. THIS IS A MODE WHERE IT'S FOR CONFIGURING PARAMETERS ON
04:32PM 9 NETWORK INTERFACES WHICH ARE A CRUCIAL PART OF AN IP ROUTER.
04:32PM 10 IT -- YOU GET TO IT BY TYPING THE WORD "INTERFACE," THEN THE
04:32PM 11 NAME OF THE INTERFACE. AND THEN THIS MODE HAS MEMORY. THIS
04:33PM 12 MODE WILL REMEMBER THE NAME OF THAT INTERFACE.

04:33PM 13 AND THEN THE REST OF THOSE, ANY COMMANDS THAT ARE INTERFACE
04:33PM 14 SPECIFIC COMMANDS WILL THEN APPLY JUST TO THAT PARTICULAR
04:33PM 15 INTERFACE. AND IF YOU TYPE A COMMAND THAT IS NOT AN
04:33PM 16 INTERFACE-SPECIFIC COMMAND, IT POPS YOU BACK UP TO THE GLOBAL
04:33PM 17 CONFIGURATION MODE.

04:33PM 18 Q. WERE YOU AWARE OF OTHER TYPES OF CONFIGURATION MODES LIKE
04:33PM 19 THIS FOR NETWORKING WHERE IT REMEMBERED WHAT YOU WERE DOING?

04:33PM 20 A. NO. I WAS NOT AWARE OF ANY SUCH.

04:33PM 21 Q. SO GOING BACK TO THE HIERARCHY QUESTION I ASKED YOU, YOU
04:33PM 22 SAID LET'S TALK ABOUT THE MODES AND PROMPTS, CAN YOU NOW
04:33PM 23 EXPLAIN TO THE JURY, HOW IS THE CONCEPT OF HIERARCHY REFLECTED
04:33PM 24 IN THIS SERIES OF MODES THAT WE ARE SEEING HERE?

04:33PM 25 A. WELL, I MEAN, YOU BASICALLY START AT THIS TOP LEVEL, THIS

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:33PM 1 USER EXEC AND THEN AS -- YOU CAN DO SIMPLE THINGS LIKE JUST SEE
04:33PM 2 WHAT THE STATUS OF THE SYSTEM IS, IF YOU ACTUALLY WANT TO
04:33PM 3 CHANGE HOW THE SYSTEM OPERATES, THEN YOU GO INTO THE -- YOU
04:34PM 4 HAVE TO GIVE A PASSWORD TO GET INTO THE PRIVILEGED MODE. YOU
04:34PM 5 CAN DO A FEW OTHER THINGS IN PRIVILEGED MODE LIKE RESTART THE
04:34PM 6 SYSTEM AND WHATNOT BUT MOSTLY --

04:34PM 7 Q. HE WAS GETTING EXCITED THERE, MR. LOUGHEED.

04:34PM 8 A. I'M SORRY.

04:34PM 9 YOU CAN DO A FEW OTHER THINGS IN THE PRIVILEGED EXEC, BUT
04:34PM 10 TYPICALLY PEOPLE GO DOWN INTO THE NEXT LEVEL WHICH IS THE
04:34PM 11 CONFIGURATION MODE. BECAUSE IF YOU ARE A SYSTEM ADMINISTRATOR,
04:34PM 12 A NETWORK ADMINISTRATOR, THAT'S WHERE ALL THE ACTION IS.

04:34PM 13 THEN FROM THAT YOU CAN UPON GO INTO THIS INTERFACE
04:34PM 14 CONFIGURATION MODE, TELL IT WHAT INTERFACE YOU ARE INTERESTED
04:34PM 15 IN, AND THEN GO AND CONFIGURE THAT. IT'S BASICALLY, IT'S A
04:34PM 16 HIERARCHY.

04:34PM 17 Q. OKAY. NOW, I UNDERSTAND THERE MAY BE OTHER MODES BUT HOW
04:34PM 18 WOULD YOU CHARACTERIZE THESE FOUR MODES, THE USER EXEC,
04:34PM 19 PRIVILEGED EXEC, GLOBAL CONFIGURATION, AND THE INTERFACE MODES?

04:35PM 20 A. THESE ARE THE MAIN MODES OF THE SYSTEM. THESE ARE THE
04:35PM 21 CRITICAL MODES. THIS IS WHERE YOU SPEND YOUR TIME.

04:35PM 22 Q. OKAY. NOW, I WANT TO GO BACK WITH THIS BACKGROUND TO TALK
04:35PM 23 ABOUT SOME OF THE WORK THAT YOU DID IN TERMS OF COMING UP WITH
04:35PM 24 SPECIFIC COMMANDS IN THE CONTEXT OF THESE DIFFERENT MODES AND
04:35PM 25 PROMPTS.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:35PM 1 SO I WANT TO GO BACK TO YOUR DAYS AT STANFORD. SO THIS IS

04:35PM 2 SLIDE 18. CAN YOU EXPLAIN TO THE JURY WHAT WE ARE LOOKING AT

04:35PM 3 ON THIS SLIDE AS IT RELATES TO THE STANFORD USER INTERFACE?

04:35PM 4 A. SO IN THE SOFTWARE THAT I DEVELOPED AT STANFORD, I NEEDED A

04:35PM 5 WAY OF ASSOCIATING AN INTERNET ADDRESS WITH AN INTERFACE. AND

04:35PM 6 I DEVELOPED A, YOU KNOW, A SINGLE WORD COMMAND. IN THIS CASE

04:35PM 7 IT WAS THE WORD "INTERFACE."

04:35PM 8 THEN THE NAME OF THE INTERFACE, THE WORD ADDRESS, AND THEN

04:35PM 9 I WOULD SPECIFY AFTER IT, THAT DOTTED STUFF IS AN IP ADDRESS,

04:36PM 10 AND THEN THE 255 IS, ALL THAT STUFF IS, IT'S SOMETHING CALLED A

04:36PM 11 SUBNET MASS, NOT PARTICULARLY IMPORTANT FOR THIS CASE.

04:36PM 12 THAT'S HOW I SET UP AN IP ADDRESS ON AN INTERFACE.

04:36PM 13 Q. LET ME PAUSE YOU THERE TO BE CLEAR BECAUSE YOU SAID IT WAS

04:36PM 14 A SINGLE WORD COMMAND?

04:36PM 15 A. IT WAS A SINGLE WORD COMMAND.

04:36PM 16 Q. SO WHAT WAS THE COMMAND IN THIS FIRST LINE WE ARE SEEING

04:36PM 17 FROM STANFORD?

04:36PM 18 A. INTERFACE.

04:36PM 19 Q. SO THE REST OF THE TEXT, ETHERNET 0 ADDRESS AND SO ON,

04:36PM 20 WOULD THOSE BE THINGS THE USER PROVIDES AS INPUT?

04:36PM 21 A. YES.

04:36PM 22 Q. OKAY. GREAT. SO THEN YOU HAVE NEXT?

04:36PM 23 A. SO THE NEXT THING I WANTED TO DO WAS TELL THE INTERFACE THE

04:36PM 24 LARGEST SIZED PACKET THAT WAS ALLOWED TO SEND OUT, SOMETHING

04:36PM 25 CALLED AN MTU, MAXIMUM TRANSMISSION UNIT. SO I WOULD HAVE TO

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:36PM 1 TYPE ALL THE PREVIOUS BITS OF THAT COMMAND PLUS THE WORD MTU
04:36PM 2 AND A NUMBER.

04:37PM 3 AND THIS WAS -- I COULD TELL THAT THIS WASN'T GOING TO WORK
04:37PM 4 FOR ME VERY MUCH LONGER BECAUSE THERE WERE MORE THINGS I WANTED
04:37PM 5 TO ADD.

04:37PM 6 Q. OKAY. SO JUST TO BE CLEAR, EVERYTHING ON RED AT THE TOP,
04:37PM 7 THAT'S WHAT YOU WERE USING AT STANFORD, THAT'S WHAT RAN ON THE
04:37PM 8 STANFORD CODE?

04:37PM 9 A. YES.

04:37PM 10 Q. AND NOW WE ARE TRANSITIONING TO YOUR DAYS AT CISCO WHERE
04:37PM 11 YOU ARE WORKING ON THE CISCO INTERFACE?

04:37PM 12 A. RIGHT.

04:37PM 13 Q. SO CAN YOU EXPLAIN TO THE JURY WHAT WE ARE LOOKING AT AT
04:37PM 14 THE BOTTOM THERE, INTERFACE ETHERNET COMMAND?

04:37PM 15 A. SO THIS WAS THE BEGINNING OF AN INTERFACE MODE. AND THEN
04:37PM 16 THIS IS, THIS IS BASICALLY THREE COMMANDS. IT'S BETTER
04:37PM 17 ILLUSTRATED HERE.

04:37PM 18 THERE'S THE WORD INTERFACE, WHICH ENTERS THE MODE, YOU SAY
04:37PM 19 INTERFACE, THEN THE NAME OF, THE NAME OF THAT INTERFACE. AND
04:37PM 20 THE SYSTEM REMEMBERS THAT YOU ARE TALKING ABOUT ETHERNET 0.

04:37PM 21 AND THEN THESE SUBSEQUENT COMMANDS, ADDRESS 1.2.3.4 AND
04:38PM 22 MTU, ARE COMMANDS THAT ARE INTERFACE-SPECIFIC COMMANDS THAT
04:38PM 23 KNOW THAT WHATEVER PARAMETERS YOU ARE SPECIFYING TO THEM, THEY
04:38PM 24 BELONG TO, IN THIS CASE, ETHERNET 0.

04:38PM 25 Q. SO DID THE STANFORD INTERFACE HAVE THIS ABILITY TO REMEMBER

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:38PM 1

THINGS?

04:38PM 2

A. NO, IT DID NOT.

04:38PM 3

Q. SO FROM A USER EXPERIENCE PERSPECTIVE, WHAT ARE THE

04:38PM 4

BENEFITS OF HAVING COMMANDS AND MODES THAT ALLOW THE SYSTEM TO

04:38PM 5

REMEMBER WHAT YOU ARE TALKING ABOUT?

04:38PM 6

A. IT SAVED A LOT OF TYPING AND IF YOU DO A LOT OF TYPING YOU

04:38PM 7

GET A LOT OF ERRORS. IT MADE THE USER INTERFACE MORE

04:38PM 8

EXTENSIBLE BECAUSE I COULD ADD NEW COMMANDS WITHOUT INTERFERING

04:38PM 9

WITH THE EXISTING COMMANDS.

04:38PM 10

Q. OKAY. JUST TO BE CLEAR, AT THE BOTTOM THERE IN THE CISCO

04:38PM 11

ADDRESS COMMAND, THERE'S NO WORD IP ANYWHERE IN THAT COMMAND;

04:38PM 12

IS THAT RIGHT?

04:38PM 13

A. WE WERE AN IP ONLY ROUTER AND WE JUST ASSUMED EVERYTHING

04:39PM 14

WAS IP.

04:39PM 15

Q. OKAY. SO ALTHOUGH IT WAS SETTING THE IP ADDRESS, IT DID

04:39PM 16

NOT SAY IP ADDRESS AT THIS TIME?

04:39PM 17

A. CORRECT.

04:39PM 18

Q. SO THEN WE FAST FORWARD A LITTLE BIT IN TIME. WHAT ARE WE

04:39PM 19

LOOKING AT ON THE VERY BOTTOM OF THE CISCO BOX?

04:39PM 20

A. SO WE ARE LOOKING AT THE COMMANDS AS THEY EXIST TODAY. AND

04:39PM 21

WE ARE BASICALLY PREFACING THINGS LIKE, YOU KNOW, ADDRESS

04:39PM 22

BECOMES AN IP ADDRESS, MTU BECOMES AN IP MTU.

04:39PM 23

WHAT WE DISCOVERED WHEN WE WENT INTO THE MARKETPLACE WAS

04:39PM 24

THAT PEOPLE ALREADY HAD WHAT WAS PUT OUT BY OTHER VENDORS WHICH

04:39PM 25

WAS DEC AND XEROX AND THE LIKE. AND THEY WANTED TO RUN TRAFFIC

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:39PM 1 FROM THOSE NETWORKS ACROSS THROUGH OUR ROUTERS.

04:39PM 2 AND SO WE STARTED ADDING THESE OTHER NETWORK PROTOCOLS IN
04:39PM 3 ADDITION TO IP, IN ADDITION TO THE INTERNET PROTOCOL INTO OUR
04:40PM 4 SYSTEM. AND THESE OTHER PROTOCOLS HAD CONCEPTS LIKE ADDRESSES
04:40PM 5 AND MTU AND ROUTING TABLES AND THE LIKE.

04:40PM 6 AND SO WE HAD TO HAVE SOME WAY OF DISTINGUISHING BETWEEN
04:40PM 7 WHAT SORT OF ADDRESS ARE YOU TALKING ABOUT. AND THE DECISION
04:40PM 8 THAT WE WENT WITH WAS TO PREFIX A LOT OF THESE COMMANDS WITH
04:40PM 9 THE PROTOCOL THAT THEY BELONGED TO.

04:40PM 10 SO THERE'S IP ADDRESS HERE, AND YOU HAVE A DEC NET ADDRESS.
04:40PM 11 XNS ADDRESS. WE BASICALLY, BY THE MIDDLE OF THE '90S, HAD
04:40PM 12 ENDED UP WITH 14 DIFFERENT NETWORK PROTOCOLS IN THE BOX. WE
04:40PM 13 HAD GONE FROM BEING JUST AN IP ROUTER TO BECOMING A MULTI
04:40PM 14 PROTOCOL ROUTER.

04:40PM 15 Q. AND, AGAIN, AT THAT TIME, WHEN YOU WERE WORKING ON THE
04:40PM 16 FIRST IP ROUTER, WAS THERE ANY KIND OF CONSTRAINT ON YOU OR
04:40PM 17 FUNCTIONAL DEMAND THAT TOLD YOU, HEY, YOU'VE GOT TO DO IT THIS
04:40PM 18 WAY?

04:40PM 19 A. THERE WEREN'T ANY OTHER DEVICES LIKE THIS AT THE TIME.
04:41PM 20 THERE WERE NOT ANY EXPECTATIONS THAT THE CUSTOMERS HAD, THAT
04:41PM 21 THERE WAS A WAY OF DOING THIS OR THERE WAS A WAY OF TALKING
04:41PM 22 ABOUT IT OR EVEN THE CHOICE OF WORDS.

04:41PM 23 WE COULD CERTAINLY, YOU KNOW, WE COULD CERTAINLY HAVE
04:41PM 24 CHOSEN DIFFERENT WORDS TO DO THIS. WE COULD HAVE CHOSEN
04:41PM 25 DIFFERENT ORDERS OF THESE WORDS TO DO THIS.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:41PM 1 Q. NOW, LET'S TALK SPECIFICALLY. BY THE WAY, BEFORE WE GO,
04:41PM 2 SLIDE 22, JUST TO REMIND THE JURY, WHAT IS THE PROMPT FOR THE
04:41PM 3 CONFIGURATION INTERFACE?

04:41PM 4 A. THE NAME AS IT SHOWS ON THE SLIDE, THE NAME OF THE DEVICE
04:41PM 5 WHICH IS IN THIS CASE SWITCH, AND THEN IN PARENTHESES CONFIG-IF
04:41PM 6 HASH MARK. SO YOU WOULD KNOW WHAT MODE YOU WERE IN.

04:41PM 7 Q. SO YOU UNDERSTAND THAT YOU CREATED A LOT OF COMMANDS BUT
04:41PM 8 SOME OF THE COMMANDS THAT YOU CREATED AT CISCO ARE AT ISSUE IN
04:41PM 9 THIS CASE, YOU UNDERSTAND THAT?

04:41PM 10 A. YES, I UNDERSTAND THAT.

04:41PM 11 Q. SO I HAVE ON SLIDE 23 FROM YOUR PRESENTATION A NUMBER OF
04:42PM 12 THESE COMMANDS. CAN YOU JUST CONFIRM FOR THE JURY THAT THESE
04:42PM 13 ARE, IN FACT, COMMANDS THAT YOU PERSONALLY AUTHORED?

04:42PM 14 A. YES, THESE ARE ONES THAT I PERSONALLY AUTHORED.

04:42PM 15 Q. AND BEFORE YOU CAME UP WITH ANY OF THESE COMMANDS, WERE YOU
04:42PM 16 AWARE OF ANY ORGANIZATION OR COMPANY THAT HAD USED ANY OF THESE
04:42PM 17 MULTIWORD COMMANDS BEFORE YOU?

04:42PM 18 A. THERE WAS -- I DIDN'T KNOW OF ANYBODY ELSE THAT USED THESE
04:42PM 19 AT ALL.

04:42PM 20 Q. AND I WANT TO TALK GENERALLY, AND WE ARE GOING TO GO
04:42PM 21 THROUGH THIS A LITTLE BIT MORE, THE PROCESS, THE CREATIVITY
04:42PM 22 PROCESS OR HOW YOU CAME UP WITH THESE COMMANDS.

04:42PM 23 CAN YOU JUST WALK US THROUGH YOUR MENTAL THOUGHT PROCESS IN
04:42PM 24 TERMS OF HOW YOU CAME UP WITH THESE COMMANDS AND HOW THAT
04:42PM 25 TRANSLATED ULTIMATELY TO OTHER COMMANDS BY OTHER ENGINEERS AT

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:42PM 1

CISCO.

04:42PM 2

A. OKAY. I CAME UP WITH SOME OF THE FEW INITIAL KEY WORDS

04:42PM 3

SUCH AS SHOW, FOR STATUS COMMANDS.

04:42PM 4

AND AFTER I CAME UP WITH SORT OF THE INITIAL COMMAND SET,

04:43PM 5

VERY SMALL SET OF COMMANDS, WHAT I WOULD DO WHEN I HAD NEW

04:43PM 6

FUNCTIONALITY THAT I WAS CREATING WAS I WOULD LOOK TO SEE WHAT

04:43PM 7

I HAD DONE BEFORE, AND I NEEDED TO FIT IN WITH THAT. I NEEDED

04:43PM 8

TO BE SORT OF SOMETHING REASONABLE AND LOGICAL THERE. I DIDN'T

04:43PM 9

WANT TO HAVE -- IF THERE'S A RHYME AND A REASON TO THINGS,

04:43PM 10

PEOPLE WILL BE ABLE TO REMEMBER THEM MUCH EASIER.

04:43PM 11

SO I TOOK A LOOK AT WHAT I HAD DONE BEFORE. I BECAME VERY

04:43PM 12

AWARE THAT I WAS GOING TO BE -- THIS WAS GOING TO CONTINUE TO

04:43PM 13

EVOLVE. SO I WAS SORT OF TAKING MY BEST GUESS OF THE FUTURE AS

04:43PM 14

TO WHAT MIGHT FURTHER DEVELOP, AND I DIDN'T WANT TO CLOSE OFF

04:43PM 15

ANY AVENUES BY POOR CHOICE OF WORDS, OR THE LIKE.

04:43PM 16

I ALSO NEEDED TO COMMUNICATE TO NETWORK MANAGERS AND

04:43PM 17

SUPPORT PEOPLE SOME IDEAS. I MEAN, WHAT SORT OF MAKES SENSE TO

04:44PM 18

THAT AUDIENCE.

04:44PM 19

AND THEN THERE WAS MY OWN IDIOSYNCRATIC THINGS. CERTAIN

04:44PM 20

WORDS THAT APPEALED TO ME, CERTAIN WORDS THAT WERE SHORTER OR

04:44PM 21

LONGER. I LIKE WORDS THAT ARE SPELLED OUT. I DIDN'T PUT -- I

04:44PM 22

DON'T LIKE DOTS IN THE MIDDLE OF THINGS. I LIKE HYPHENS AND

04:44PM 23

NOT UNDERSCORES, JUST LITTLE IDIOSYNCRATIC THINGS LIKE THAT.

04:44PM 24

AND THAT'S THE THOUGHT PROCESS THEY WENT THROUGH WHEN I WAS

04:44PM 25

CREATING COMMANDS IN THE EARLY DAYS.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:44PM 1 AND AS WE HIRED ENGINEERS, I BASICALLY TAUGHT THEM THIS,
04:44PM 2 THIS IS HOW YOU THINK ABOUT IT, THIS IS HOW YOU DO IT. AND
04:44PM 3 THEY WOULD DEVELOP THEIR OWN COMMANDS. WE MIGHT TALK ABOUT
04:44PM 4 THOSE COMMANDS. BUT EVENTUALLY -- ESSENTIALLY THEY HAD A GREAT
04:44PM 5 DEAL OF FREEDOM AS TO WHAT THEY WERE GOING TO CHOOSE. AND
04:44PM 6 THAT'S BEEN BASICALLY THE PROCESS EVER SINCE.

04:44PM 7 Q. OKAY. AND I'M SURE -- ARE THERE COMMANDS HERE THAT YOU
04:45PM 8 LOOK BACK AND YOU COULD SAY, I PROBABLY WOULD HAVE COME UP WITH
04:45PM 9 A DIFFERENT COMMAND KNOWING THAT I KNOW NOW?

04:45PM 10 A. UM, YES. NO, THERE'S -- YOU CAN ALWAYS -- ONCE YOU
04:45PM 11 UNDERSTAND THE PROBLEM MORE CLEARLY FROM A DIFFERENT
04:45PM 12 PERSPECTIVE, YOU CAN USUALLY COME UP WITH DIFFERENT WAYS OF
04:45PM 13 DOING THINGS.

04:45PM 14 Q. OF THESE COMMANDS HERE, I DON'T HAVE THE TIME TO GO THROUGH
04:45PM 15 ALL OF THEM, BUT COULD YOU JUST HIGHLIGHT FOR THE JURY SOME OF
04:45PM 16 THE COMMANDS THAT YOU PERSONALLY AUTHORED THAT ARE WIDELY
04:45PM 17 UTILIZED EVEN TODAY BY CISCO ENGINEERS?

04:45PM 18 A. SO THERE IS -- WELL, IP ADDRESS THAT WE'VE TALKED ABOUT,
04:45PM 19 WHICH ASSIGNS AN IP ADDRESS TO AN INTERFACE.

04:45PM 20 IP ACCESS LIST SETS UP A BUNCH OF RULES AS TO WHAT PACKETS
04:45PM 21 CAN GO OUT TO PARTICULAR INTERFACES. YOU CAN BUILD A REAL
04:45PM 22 SIMPLE THING CALLED A FIREWALL TO MAKE SURE THE WRONG PACKETS
04:45PM 23 DON'T GET IN OUR OUT OF A NETWORK.

04:45PM 24 AND SHOW INTERFACE IS ONE THAT'S USED EVERY DAY BY NETWORK
04:46PM 25 MANAGERS TO SEE WHAT'S GOING ON IN THE NETWORK.

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:46PM 1 Q. AND SO WE WILL TALK ABOUT HIERARCHY A LITTLE BIT FURTHER.

04:46PM 2 BUT JUST IN THINKING ABOUT THE WORD CHOICES, MR. LOUGHEED,

04:46PM 3 LET'S TAKE IP, FOR EXAMPLE. WHAT ARE SOME OF THE WORDS YOU

04:46PM 4 COULD HAVE USED AND YOU HAD CONSIDERED INSTEAD OF JUST USING

04:46PM 5 THE LETTERS IP?

04:46PM 6 A. WELL, I COULD HAVE USED INTERNET. THAT WOULD HAVE BEEN A

04:46PM 7 PERFECTLY REASONABLE CHOICE. I COULD HAVE USED IP V4, WHICH IS

04:46PM 8 -- THIS IP IS ACTUALLY THE FOURTH VERSION OF IP. I COULD HAVE

04:46PM 9 USED THE WORD TCP-IP, JUST ALL RUN TOGETHER. I COULD HAVE USED

04:46PM 10 INTERNET-PROTOCOL. THERE'S A NUMBER OF POSSIBILITIES.

04:46PM 11 Q. LET'S TAKE ADDRESS, FOR EXAMPLE. THAT'S ANOTHER WORD

04:46PM 12 THAT'S COMMONLY USED TODAY, BUT AT THE TIME YOU WERE COMING UP

04:47PM 13 WITH THIS COMMAND, WHAT WERE SOME OTHER WORDS YOU COULD HAVE

04:47PM 14 CHOSEN?

04:47PM 15 A. I COULD HAVE CHOSEN LABEL.

04:47PM 16 MR. SILBERT: OBJECT TO COULD HAVE CHOSEN.

04:47PM 17 MR. PAK: LET ME REPHRASE IT.

04:47PM 18 Q. WHAT WERE SOME OF THE WORDS YOU DID CONSIDER AT THE TIME?

04:47PM 19 A. IDENTIFIER.

04:47PM 20 Q. ANY OTHERS THAT YOU CAN THINK OF?

04:47PM 21 A. I THINK WE CONSIDERED THE LABEL.

04:47PM 22 Q. AND AT THE TIME, JUST TO REMIND US AGAIN, WAS THERE ANY

04:47PM 23 FUNCTIONALITY RESTRICTION ON WHAT WORDS YOU HAVE TO CHOOSE FROM

04:47PM 24 A COMMAND PERSPECTIVE AT THE TIME?

04:47PM 25 A. NO, AT THIS TIME THERE WERE NOT EXISTING CUSTOMERS. THERE

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:47PM 1 WAS NO EXPECTATION OF WHAT SORT OF USER INTERFACE OR WHAT
04:47PM 2 CHOICE OF WORDS PEOPLE WOULD USE.

04:48PM 3 Q. AND LET'S TAKE ANOTHER ONE LAST EXAMPLE. ACCESS LIST,
04:48PM 4 THAT'S ACCESS-LIST. WHAT WERE SOME OF THE OTHER OPTIONS THAT
04:48PM 5 YOU CONSIDERED INSTEAD OF ACCESS LIST AT THE TIME?

04:48PM 6 A. IP RULES WAS, BECAUSE THAT'S WHAT BASICALLY AN ACCESS LIST
04:48PM 7 IS, IS A LIST OF RULES OF WHERE PACKETS GO.

04:48PM 8 Q. CAN YOU THINK OF ANY OTHERS THAT YOU DID CONSIDER AT THE
04:48PM 9 TIME FOR ACCESS LIST?

04:48PM 10 A. PERMIT LIST.

04:48PM 11 Q. AND, AGAIN, WERE THERE ANY RESTRICTIONS AT THE TIME ON THE
04:48PM 12 SPECIFIC WORDS YOU CHOSE OR THE ACRONYMS YOU CHOSE?

04:48PM 13 A. NO.

04:48PM 14 Q. NOW, I WANT TO GO BACK TO A COMMAND HIERARCHY, SO YOU
04:48PM 15 TALKED ABOUT HIERARCHY IN THE CONTEXT OF MODES, DO YOU RECALL
04:48PM 16 THAT CONVERSATION?

04:48PM 17 A. YES.

04:48PM 18 Q. NOW, I WOULD LIKE TO HAVE YOU WALK THE JURY THROUGH THE
04:48PM 19 CONCEPT OF HIERARCHY AS IT PERTAINS TO MULTIWORD COMMANDS.

04:48PM 20 SO AT A VERY HIGH LEVEL, CAN YOU EXPLAIN WHAT A COMMAND
04:48PM 21 HIERARCHY IS?

04:49PM 22 A. IT'S A SET OF COMMANDS THAT SHARE SOME INITIAL WORDS IN
04:49PM 23 THE -- SET OF MULTIWORD COMMANDS THAT SHARE INITIAL WORDS.

04:49PM 24 Q. OKAY. SO IT'S -- LOOK AT AN EXAMPLE OF THAT, SLIDE 24 FROM
04:49PM 25 YOUR PRESENTATION. CAN YOU SHOW US WHAT YOU ARE DEPICTING WITH

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:49PM 1 THIS PICTURE ON SLIDE 24?

04:49PM 2 A. THIS IS THE "SHOW HIERARCHY," AND YOU CAN TYPE THE WORD
04:49PM 3 SHOW, AND WE'VE ALREADY SEEN INTERFACES IS ONE OF THE THINGS
04:49PM 4 THAT YOU CAN FOLLOW THE WORD SHOW WITH. THERE'S ALSO SHOW IP,
04:49PM 5 THERE'S SHOW SPANNING-TREE, THERE'S SHOW ARP, SHOW HOSTS.
04:49PM 6 THAT'S SORT OF THE SECOND LEVEL OF THE HIERARCHY OF THE "SHOW
04:49PM 7 HIERARCHY."

04:49PM 8 THERE'S A THIRD LEVEL UNDER IP WHERE I CAN SAY SHOW IP,
04:49PM 9 BGP, ACCESS LISTS, INTERFACE, ARP, ROUTE.

04:50PM 10 Q. AND WHY DID YOU DECIDE TO IMPOSE OR USE A HIERARCHY AS YOU
04:50PM 11 WERE COMING UP WITH THESE MULTIWORD COMMANDS AT CISCO?

04:50PM 12 A. BASICALLY EASE OF USE BY HUMAN BEINGS. I COULD ADD THINGS
04:50PM 13 IN HERE, I COULD ADD NEW FUNCTIONALITY IN BASICALLY BY HOOKING
04:50PM 14 IT IN IN THE RIGHT LEVEL IN THIS HIERARCHY.

04:50PM 15 ALSO IF A NETWORK ADMINISTRATOR KNEW SOME INITIAL WORDS OR
04:50PM 16 HAD SORT OF AN IDEA OF WHAT MIGHT BE THE LEADING WORDS, YOU
04:50PM 17 COULD ACTUALLY START EXPLORING THE HIERARCHY.

04:50PM 18 Q. OKAY. AND JUST GOING BACK TO YOUR DAYS AT STANFORD, DOES
04:50PM 19 STANFORD USE THE INTERFACE THAT YOU WORKED ON BEFORE YOU LEFT
04:50PM 20 FOR CISCO? DID IT HAVE THIS KIND OF HIERARCHICAL STRUCTURE?

04:50PM 21 A. THE SOFTWARE THAT I STARTED WITH HAD BASICALLY ALL THE
04:51PM 22 COMMANDS AT THE SAME LEVEL. I DIDN'T THINK THAT WAS VERY
04:51PM 23 EXTENSIBLE, SO I STARTED -- ACTUALLY SHOW, I THINK, WAS ONE OF
04:51PM 24 THE VERY FIRST HIERARCHIES THAT I CREATED.

04:51PM 25 Q. SO JUST TO BE CLEAR ON THE RECORD, AT STANFORD YOU DID NOT

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:51PM 1 HAVE THIS MULTIWORD COMMAND HIERARCHY STRUCTURE?

04:51PM 2 A. THE ORIGINAL STANFORD SOFTWARE DID NOT HAVE THE WORD SHOW.

04:51PM 3 Q. LET'S LOOK AT ONE MORE HIERARCHY.

04:51PM 4 CAN YOU EXPLAIN TO THE JURY WHAT WE ARE LOOKING AT ON SLIDE
04:51PM 5 25 OF YOUR PRESENTATION?

04:51PM 6 A. WE ARE LOOKING AT AN IP HIERARCHY WITHIN THE CONFIGURATION
04:51PM 7 MODE, THE GLOBAL CONFIGURATION MODE AS WELL AS THE INTERFACE
04:51PM 8 CONFIGURATION MODE.

04:51PM 9 THESE ARE ALL THE -- THE FIRST LEVEL IS A LIST OF VERY
04:51PM 10 COMMON COMMANDS THAT YOU CAN GIVE WHILE YOU ARE CONFIGURING THE
04:51PM 11 SYSTEM. THE WORD "DOMAIN" ACTUALLY CONTINUES ONTO A THIRD
04:51PM 12 LEVEL, WHERE YOU CAN SAY IP DOMAIN LOOKUP.

04:52PM 13 Q. AND THEN I NOTICE SOMETHING HERE, SO THIS ONE HAS IP, AND
04:52PM 14 IT'S GOT ALL OF THESE ENTRIES UNDER THE IP HIERARCHY. BUT THEN
04:52PM 15 WHEN I GO BACK TO YOUR EARLIER SLIDE FOR THE "SHOW HIERARCHY"
04:52PM 16 YOU ALSO HAVE SHOW IP.

04:52PM 17 A. YES.

04:52PM 18 Q. WHY DID YOU END UP PUTTING IP IN TWO SEPARATE HIERARCHIES?
04:52PM 19 HOW DID THAT DECISION COME ABOUT?

04:52PM 20 A. BECAUSE WE WERE BASICALLY -- WE HAD BECOME A MULTI PROTOCOL
04:52PM 21 ROUTER, AND WE FIRST RAN INTO THE ISSUE OF HOW TO DISTINGUISH
04:52PM 22 BETWEEN PROTOCOLS IN THE CONFIGURATION MODES AND WE SOLVED THAT
04:52PM 23 BY PREFACING THE THINGS WITH IP.

04:52PM 24 AND THEN IN THE INTEREST OF JUST SYMMETRY, SO THAT THE
04:52PM 25 CUSTOMERS WOULD SEE SORT OF THE SAME PATTERNS REFLECTED AGAIN,

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:52PM 1 WE CREATED AN IP HIERARCHY IN THE SHOW COMMANDS.

04:52PM 2 Q. NOW, IS THERE ANY REASON WHY YOU COULDN'T HAVE DECIDED TO
04:53PM 3 PUT IP AS ONE OF THE ENTRIES THERE?

04:53PM 4 A. THAT WOULD HAVE BEEN PERFECTLY REASONABLE. THAT WOULD BE
04:53PM 5 ONE WAY OF DOING THINGS.

04:53PM 6 Q. AND YOU JUST MADE A DIFFERENT HIERARCHY CHOICE?

04:53PM 7 A. I MADE THIS PARTICULAR HIERARCHICAL CHOICE. THERE WAS
04:53PM 8 NOTHING SACRED ABOUT THIS PARTICULAR ORDERING OF COMMANDS OR
04:53PM 9 PARTICULAR ORGANIZING PRINCIPAL. I COULD HAVE ORGANIZED THINGS
04:53PM 10 ENTIRELY BY TECHNOLOGY AREA OR --

04:53PM 11 Q. WHAT DO YOU MEAN BY TECHNOLOGY AREA?

04:53PM 12 A. SO I COULD HAVE HAD A TOP LEVEL SHOW COMMAND -- EXCUSE ME.
04:53PM 13 I COULD HAVE HAD A TOP LEVEL COMMAND CALLED IP, FOR INSTANCE.

04:53PM 14 AND I COULD HAVE BASICALLY SAID THERE'S IP AND THEN THERE
04:53PM 15 WOULD BE A COMMAND THAT MIGHT INVOKE SORT OF A CONFIGURATION
04:53PM 16 ACTION OR I COULD HAVE IP AND A BUNCH OF -- A FEW MORE WORDS,
04:54PM 17 THEN I COULD HAVE AT THE END DISPLAY OR SOMETHING LIKE THAT. I
04:54PM 18 COULD HAVE DONE STUFF LIKE THAT AS WELL. THERE'S NO INHERENT
04:54PM 19 REASON WHY THAT COULDN'T HAVE BEEN DONE.

04:54PM 20 MR. SILBERT: YOUR HONOR, OBJECTION TO TESTIMONY
04:54PM 21 ABOUT WHAT COULD HAVE BEEN DONE.

04:54PM 22 THE COURT: OVERRULED.

04:54PM 23 BY MR. PAK:

04:54PM 24 Q. AND, MR. LOUGHEED, JUST TO MAKE IT ABSOLUTELY CLEAR ON THE
04:54PM 25 RECORD, DID YOU COPY ANY OF YOUR MULTIWORD COMMANDS OR THE

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:54PM 1 HIERARCHIES FROM ANY OTHER SOURCE?

04:54PM 2 A. NO.

04:54PM 3 Q. I'M GOING TO MOVE ON TO TALK ABOUT COMMAND OUTPUTS. THAT'S
04:54PM 4 SOMETHING ELSE WE HEARD IN THIS CASE.

04:54PM 5 SO WE LOOKED AT HOW COMMANDS GET ENTERED, FOR EXAMPLE, SHOW
04:54PM 6 INTERFACES. WE BRIEFLY HAD YOU INTRODUCE THE IDEA OF HAVING
04:54PM 7 SOME SCREEN OUTPUTS THAT WERE SHOWN UP ON THE SCREEN. DO YOU
04:54PM 8 SEE THAT, SIR?

04:54PM 9 I WANT TO SPEND A FEW MINUTES HERE WITH THE JURY. THERE'S
04:55PM 10 JUST A LOT OF WORDS, SO CAN YOU HELP US JUST INTERPRET THAT.

04:55PM 11 SO CAN YOU INTERPRET FOR THE JURY WHAT YOU ARE SEEING HERE
04:55PM 12 WITH THESE WORDS AND HOW THAT'S ORGANIZED?

04:55PM 13 A. SO THIS COMMAND IS USED BY NETWORK ADMINISTRATORS TO SEE
04:55PM 14 WHAT THE STATUS IS OF A NETWORK INTERFACE. THIS IS A CRUCIAL
04:55PM 15 COMMAND FOR TROUBLE SHOOTING PROBLEMS.

04:55PM 16 AND IT'S ORGANIZED IN A FIXED WAY WITH THE MOST IMPORTANT
04:55PM 17 INFORMATION UP AT THE TOP. IT TELLS YOU WHAT THE NAME OF THE
04:55PM 18 INTERFACE IS. IN THIS CASE ETHERNET 0.

04:55PM 19 IT TELLS YOU WHETHER THE SYSTEM THINKS IT'S UP OR DOWN. IT
04:55PM 20 TELLS YOU ABOUT SOMETHING CALLED HARDWARE ADDRESSES. IT TELLS
04:55PM 21 YOU WHAT THE INTERNET ADDRESS IS. IT TELLS YOU SOME, YOU KNOW,
04:55PM 22 PARAMETERS THAT ARE GOOD FOR, LIKE, MTU AND BANDWIDTH AND DELAY
04:55PM 23 AND THE LIKE THAT ARE USEFUL IN CERTAIN CONTEXTS, WHAT SORT OF
04:56PM 24 PACKETS IT SENDS.

04:56PM 25 THE TIME SINCE THE LAST INPUT OR THE LAST OUTPUT. IF YOU

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:56PM 1 THINK THAT INTERFACE SHOULD BE ACTIVE AND IT'S BEEN SENDING
04:56PM 2 TRAFFIC AND IT HASN'T SENT ANYTHING FOR AN HOUR, YOU GOT A
04:56PM 3 PROBLEM.

04:56PM 4 IT GIVES YOU INFORMATION ABOUT OUTPUT AND INPUT CUES. IF
04:56PM 5 ONE OF THOSE CUES IS ABSOLUTELY FULL, THERE'S PROBABLY
04:56PM 6 SOMETHING BADLY WRONG WITH THE SYSTEM AND NOTHING IS HAPPENING.
04:56PM 7 IT TELLS YOU ABOUT THE RATE OF INPUT AND OUTPUT AND BYTES AND
04:56PM 8 PACKET PER SECOND WHICH GIVES YOU A CLUE AS TO WHAT SORT OF
04:56PM 9 TRAFFIC PATTERNS YOU ARE SEEING THERE.

04:56PM 10 THEN THE SUMS OF THINGS LIKE THE NUMBER OF PACKETS AND
04:56PM 11 BYTES INPUT, OUTPUT, HAVE YOU RECEIVED ERROR PACKET, HAVE YOU
04:56PM 12 DROPPED THINGS BECAUSE YOU HAVE RUN OUT OF BUFFERS FOR THESE
04:56PM 13 PACKETS TO RUN INTO.

04:56PM 14 THAT'S WHAT THIS DOES. AND BECAUSE IT'S A TEXTUAL OUTPUT,
04:57PM 15 BECAUSE IT'S A BUNCH OF WORDS, PEOPLE CAN SCAN THAT REAL
04:57PM 16 QUICKLY LIKE YOU SCAN THE FRONT PAGE OF A NEWSPAPER AND YOU CAN
04:57PM 17 SEE WHAT THE MOST IMPORTANT THING IS, IT CATCHES YOUR EYE.

04:57PM 18 Q. JUST TO BE CLEAR, WAS THERE ANY KIND OF CONSTRAINT,
04:57PM 19 RESTRICTIONS OR SOMETHING THAT SAID YOU HAD TO USE THIS
04:57PM 20 PARTICULAR SEQUENCE OF WORDS AS ANY OF YOUR SCREEN OUTPUTS?

04:57PM 21 A. NO, THERE WAS NO CONSTRAINT, THIS WAS JUST -- I WROTE THE
04:57PM 22 ORIGINAL FORM OF THIS COMMAND, AND I WAS USING IT FOR MYSELF
04:57PM 23 JUST TO FIGURE OUT WHAT WAS GOING ON IN THE NETWORK. THIS IS
04:57PM 24 THE STUFF THAT I THOUGHT WAS THE MOST IMPORTANT.

04:57PM 25 THERE HAVE BEEN OTHER ENGINEERS THAT HAVE COME ALONG AND

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:57PM 1 ADDED SOME FUNCTIONALITY OVER THE YEARS, BUT THERE'S NO
04:57PM 2 CONSTRAINT.

04:57PM 3 Q. AND GENERALLY SPEAKING, WHO AUTHORS SCREEN OUTPUTS AT
04:57PM 4 CISCO?

04:57PM 5 A. THE ENGINEERS THAT WRITE THE FUNCTIONALITY THAT RELATES TO
04:57PM 6 THAT SCREEN OUTPUT.

04:58PM 7 MR. PAK: AND, YOUR HONOR, I PROBABLY HAVE ABOUT TEN
04:58PM 8 MORE MINUTES. SO WOULD YOU LIKE TO TAKE --

04:58PM 9 THE COURT: WE ARE NOT GOING TO GO UNTIL TEN PAST
04:58PM 10 5:00. WE ALWAYS STOP PROMPTLY AT 5:00. SO THANK YOU FOR
04:58PM 11 ASKING.

04:58PM 12 MR. PAK: SO LET ME GUEST A FEW MORE QUESTIONS TO GET
04:58PM 13 THE --

04:58PM 14 THE COURT: OKAY. SURE.

04:58PM 15 BY MR. PAK:

04:58PM 16 Q. WITH RESPECT TO THE HELP DESCRIPTIONS, DO YOU RECALL THAT
04:58PM 17 AS BEING ANOTHER ELEMENT OF YOUR USER INTERFACE, JUST TO REMIND
04:58PM 18 THE JURY, WE HAVE OF -- WHAT DO WE SEE HERE ON SLIDE 28?

04:58PM 19 A. YOU ARE SEEING SOMEBODY IS TYPING THE COMMAND SHOW AND THEN
04:58PM 20 THE QUESTION MARK.

04:58PM 21 Q. OKAY. AND THEN LET'S GO TO THE NEXT SLIDE. WHAT ARE WE
04:58PM 22 LOOKING AT HERE?

04:58PM 23 A. THIS IS HOW THE SYSTEM RESPONDS. IT GIVES YOU A LIST ON
04:58PM 24 THE LEFT OF WHAT POSSIBILITIES YOU MIGHT TYPE NEXT. THEN OVER
04:58PM 25 ON THE RIGHT-HAND SIDE IS SOMETHING THAT'S CALL A HELP MESSAGE

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

04:58PM 1 OR A HELP DESCRIPTION THAT GIVES SOMETHING THE ENGINEER HAS

04:59PM 2 WRITTEN TO GIVE YOU SORT OF A CLUE -- THE DEVELOPING ENGINEER

04:59PM 3 TO GIVE YOU A CLUE AS TO WHAT THIS KEY WORD MIGHT MEAN OR WHAT

04:59PM 4 IT MIGHT DO.

04:59PM 5 Q. AND GENERALLY SPEAKING, WHO AUTHORS THESE HELP DESCRIPTIONS

04:59PM 6 FOR EACH OF THESE COMMANDS THAT WE ARE SEEING HERE?

04:59PM 7 A. THE ENGINEER WHO DEVELOPS THE FUNCTIONALITY THAT DEVELOPS

04:59PM 8 THE COMMANDS.

04:59PM 9 Q. WAS THAT ALWAYS THE CASE OR WAS THERE A TIME THAT A

04:59PM 10 DIFFERENT PERSON MAY HAVE AUTHORED SOME OF THESE HELP

04:59PM 11 DESCRIPTIONS?

04:59PM 12 A. IN THE VERY BEGINNING YOU COULD TYPE QUESTION MARK AT THE

04:59PM 13 TOP LEVEL AND YOU WOULD GET SORT OF A LIST OF COMMANDS AND SOME

04:59PM 14 HELP MESSAGE WITH THAT.

04:59PM 15 AND IN THE EARLY '90S WE REVISED THE PARSER AND MADE IT

04:59PM 16 MORE POWERFUL, AND ADDED THE ABILITY TO TYPE QUESTION MARK AT

04:59PM 17 ANY POINT IN THIS -- AT ANY POINT WHEN PEOPLE WERE TYPING.

04:59PM 18 AND THE CONTRACTOR THAT WAS IN CHARGE OF DOING THAT

05:00PM 19 ACTUALLY PUT IN THESE HELP DESCRIPTIONS, THESE HELP STRINGS,

05:00PM 20 PUT THEM ALL IN AT THAT POINT.

05:00PM 21 AND THEN AS TIME HAS GONE ON AND ENGINEERS HAVE ADDED NEW

05:00PM 22 COMMANDS, THE ENGINEERS THAT ARE DOING THE NEW FUNCTIONALITY

05:00PM 23 THAT ARE CREATING THESE COMMANDS WILL ADD, THEY ARE RESPONSIBLE

05:00PM 24 FOR ADDING THESE HELP MESSAGES

05:00PM 25 Q. AND WHO IS THE NAME OF THE PERSON THAT CREATED THESE

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

05:00PM 1 INITIAL HELP DESCRIPTIONS?

05:00PM 2 A. TERRY SLATTERY.

05:00PM 3 Q. AND, AGAIN, WERE THERE ANY CONSTRAINTS OR RESTRICTIONS OR
05:00PM 4 FUNCTIONAL DEMANDS THAT WOULD TELL THE ENGINEERS YOU HAVE TO
05:00PM 5 WRITE THE HELP DESCRIPTION IN THIS WAY?

05:00PM 6 A. NO, THERE'S BASICALLY, THE -- BE HELPFUL, BUT BEYOND THAT
05:00PM 7 THERE WAS NOT ANY PARTICULAR REQUIREMENT THAT WAS PUT UPON
05:00PM 8 THEM.

05:00PM 9 MR. PAK: I THINK WE CAN RECESS FOR TODAY,
05:00PM 10 YOUR HONOR.

05:00PM 11 THE COURT: OKAY. ALL RIGHT. LADIES AND GENTLEMEN,
05:00PM 12 WE ARE DONE WITH OUR PRESENTATION OF TESTIMONY FOR TODAY.

05:01PM 13 I'M GOING TO MAKE A SLIGHT MODIFICATION IN THE SCHEDULE.
05:01PM 14 AND, COUNSEL, UNLESS THERE'S AN OBJECTION, WE CAN START AT 9:30
05:01PM 15 TOMORROW. IS THAT GOING TO BE OKAY?

05:01PM 16 MR. PAK: THAT WORKS FOR US YOUR HONOR.

05:01PM 17 MR. VAN NEST: THAT'S FINE YOUR HONOR.

05:01PM 18 THE COURT: I KNOW YOUR SCHEDULE SAYS 10:00 AND
05:01PM 19 NORMALLY I HAVE A LONG CRIMINAL CALENDAR BEFORE YOU ARRIVE ON
05:01PM 20 TUESDAYS, BUT NOBODY WANTED TO COME INTO COURT TOMORROW SO I
05:01PM 21 WILL BE VERY QUICK WITH THAT.

05:01PM 22 SO PLEASE GATHER -- MS. SALINAS-HARWELL WILL HAVE YOU
05:01PM 23 GATHER SOME TIME BEFORE 9:30 SO WE CAN START PROMPTLY. WE WILL
05:01PM 24 BE IN SESSION UNTIL NOON AND TAKE AN HOUR FOR LUNCH AND THEN
05:01PM 25 THE REMAINDER OF THE DAY UNTIL 5:00.

08:42AM 1 ABOUT IN THE MOTION IN LIMINE HEARING.

08:42AM 2 THE COURT: OKAY.

08:42AM 3 MR. NELSON: AND I HAVE TO BE ABLE TO REFUTE THAT AS
08:42AM 4 WELL.

08:42AM 5 THE COURT: ALL RIGHT.

08:42AM 6 MR. VAN NEST: ALL I WAS GOING TO SAY, YOUR HONOR, IS
08:42AM 7 I THINK YOU HEARD THE OPENING BETTER THAN THEY DID. WHAT I
08:42AM 8 SAID WAS THE ONLY CLAIM OF COPYING IS THE CLI.

08:42AM 9 THE COURT: YES, THAT'S RIGHT.

08:42AM 10 MR. VAN NEST: NOT ANY OF THE SOURCE CODE. THAT'S
08:42AM 11 TRUE EVEN IN THE ITC. YOU KNOW DARN WELL THEY COMBED THAT
08:42AM 12 SOURCE CODE TO SEE WHAT THEY COULD FIND AND THEY FOUND 0. SO
08:42AM 13 ALL I TOLD THE JURORS WAS THAT THE ONLY CLAIM OF COPYING IN
08:42AM 14 THIS CASE IS AS TO THE CLI, NOT THE SOURCE CODE INSIDE THE
08:42AM 15 SWITCH, AND I WILL STAND BY THAT.

08:42AM 16 WE CAN CERTAINLY HAVE A DEBATE BEFORE THE CLOSING ARGUMENT
08:42AM 17 AS TO WHAT I CAN OR CAN'T SAY. BUT FOR NOW THAT'S WHERE THE
08:42AM 18 RECORD STANDS AND THAT'S AN ABSOLUTELY TRUTHFUL STATEMENT AND I
08:43AM 19 HAD YOUR HONOR'S ADMONITIONS IN MIND THROUGHOUT THE OPENING.

08:43AM 20 THE COURT: MR. FERRALL, AS WE GO THROUGH THIS BLOG
08:43AM 21 THOUGH THAT YOU ARE OBJECTING TO, AND SO --

08:43AM 22 MR. FERRALL: THE BLOG, YOUR HONOR, IS -- THIS IS ALL
08:43AM 23 CIRCULAR TO THE DECLARATION. THE ISSUE STARTS WITH THE
08:43AM 24 DECLARATION, AND I THINK THERE'S A BIT OF BOOT STRAPPING HERE
08:43AM 25 ABOUT THE BLOG AND TRYING TO CONTRADICT THE BLOG. THE ONLY

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

09:33AM 1 YOU TYPE QUESTION MARK, THEN THIS IS ONE SCREEN OF A MANY
09:33AM 2 SCREEN DISPLAY OF THE POSSIBILITIES THAT YOU COULD HAVE AFTER A
09:33AM 3 SHOW COMMAND.

09:33AM 4 AND ON THE LEFT IS THE WORD THAT YOU COULD TYPE, THINGS
09:34AM 5 LIKE SHOW ARP, AND THEN ON THE RIGHT SIDE OF THE SCREEN IS A
09:34AM 6 HELP MESSAGE OR A HELP DESCRIPTION, JUST SORT OF A LITTLE HINT
09:34AM 7 THAT THE DEVELOPER LEFT AS TO WHAT THIS KEY WORD MIGHT REFER
09:34AM 8 TO.

09:34AM 9 Q. I THINK WE TALKED ABOUT THIS THE OTHER DAY, BUT WHO
09:34AM 10 AUTHORED THE HELP DESCRIPTIONS ON THE RIGHT-HAND SIDE FOR EACH
09:34AM 11 OF THESE COMMANDS?

09:34AM 12 A. IN THE EARLY NINETIES, WE HAD A CONTRACTOR GO THROUGH THE
09:34AM 13 SYSTEM AND REVISE THE PARSER AND PUT IN BETTER STRUCTURE,
09:34AM 14 BASICALLY IMPROVE THE STRUCTURE OF THE SYSTEM THERE. AND ONE
09:34AM 15 OF THE THINGS HE INTRODUCED WAS THE ABILITY TO TYPE QUESTION
09:34AM 16 MARK AT ANY PLACE AND THE ABILITY TO HAVE A HELP DESCRIPTION
09:34AM 17 THAT WOULD BE PRINTED OUT WHEN THE QUESTION MARK WAS TYPED FOR
09:34AM 18 THAT PARTICULAR PLACE.

09:34AM 19 AND HE AND HIS ENGINEERS WENT THROUGH AND DEFINED THE HELP
09:35AM 20 MESSAGES FOR THE SYSTEM AT THAT POINT IN THE EARLY NINETIES.
09:35AM 21 EVER SINCE THEN, ANY ENGINEER THAT HAS BEEN ADDING
09:35AM 22 FUNCTIONALITY TO THE SYSTEM AND HAS CREATED COMMANDS FOR
09:35AM 23 MONITORING OR CONFIGURING THE SYSTEM, HIS DEFINED THOSE HELP
09:35AM 24 MESSAGES.

09:35AM 25 Q. AND JUST TO REMIND THE JURY AGAIN, ARE THERE ANY

DIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

09:35AM 1 RESTRICTIONS OR CONSTRAINTS OR FUNCTIONAL DEMAND THAT IS SAY
09:35AM 2 YOU HAVE TO USE THESE PARTICULAR WORDS IN THIS PARTICULAR
09:35AM 3 SEQUENCE?

09:35AM 4 A. NO, THEY CAN EXPRESS THEMSELVES HOWEVER THEY WANT. THERE'S
09:35AM 5 NO -- THE REAL POINT IS TO BE HELPFUL. IF SOMEBODY WANTED TO
09:35AM 6 DO, YOU KNOW, TYPE IN GETTYSBURG ADDRESS, THERE'S A HELP
09:35AM 7 MESSAGE. WE LOOK AT THEM REALLY STRANGELY AND SUGGEST THEY
09:35AM 8 MIGHT DO SOMETHING DIFFERENT, BUT OTHER THAN THAT, DO THE RIGHT
09:35AM 9 THING AND BE HELPFUL.

09:35AM 10 Q. COULD YOU GIVE THE JURY A UNIQUE EXAMPLE THAT'S FOUND IN
09:35AM 11 THE CISCO HELP DESCRIPTIONS?

09:35AM 12 A. THERE IS ONE PARTICULAR HELP STRING THAT I NOTICE THAT IS
09:36AM 13 VERY, VERY UNIQUELY, HAS A CISCO HISTORY, ARP TYPE ARPA.

09:36AM 14 Q. IS THAT ARPA? ARPA?

09:36AM 15 A. YEAH, ARPA AS IN THE ARPA MAP.

09:36AM 16 Q. CAN YOU TELL US WHY THAT'S UNUSUAL OR UNIQUE TO CISCO?

09:36AM 17 A. SO THAT WAS THE TERMINOLOGY THAT I CREATED WHEN THE -- IN
09:36AM 18 1986 WHEN WE SHIPPED OUR FIRST PRODUCTS, ONE OF OUR BIG
09:36AM 19 CUSTOMERS WAS HEWLETT-PACKARD. AND THEY PUT SOME OF THEIR
09:36AM 20 PACKETS ON THE ETHERNET WITH A PARTICULAR SET OF BYTES IN FRONT
09:36AM 21 OF THEM THAT WAS COMPLETELY DIFFERENT THAN THE WAY EVERYBODY
09:36AM 22 ELSE IN THE WORLD WAS DOING IT.

09:36AM 23 AND I NEEDED SOME WAY OF DISTINGUISHING BETWEEN THE WAY
09:36AM 24 THAT HP WAS DOING IT, WHICH WAS TO USE SOMETHING CALLED THE
09:36AM 25 IEEE STANDARD, AND THE WAY EVERYBODY ELSE WAS DOING IT. AND I

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

CROSS-EXAMINATION?

CROSS-EXAMINATION BY MR. SILBERT

Q. GOOD MORNING, MR. LOUGHEED.

A. GOOD MORNING.

MR. SILBERT: YOUR HONOR, MAY WE APPROACH CAN WITH
COPIES OF MR. LOUGHEED'S DEPOSITION AND BINDERS?

THE COURT: YES.

Q. IT'S NOT AS BAD AS IT LOOKS, SIR, SOME OF THE MANUALS ARE
QUITE LARGE.

A. OKAY.

Q. GOOD MORNING, SIR. WE HAVEN'T MET. MY NAME IS DAVID
SILBERT, I'M ONE OF THE ATTORNEYS THAT REPRESENTING ARISTA.

A. PLEASSED TO MEET YOU.

Q. THANK YOU. YOU TESTIFIED YESTERDAY ABOUT THE PROCESS THAT
YOU USED TO CHOOSE CLI COMMANDS, DO YOU RECALL THAT?

A. YES, I DO.

Q. AND YOU SAID THAT FIRST YOU CAME UP WITH A FEW INITIAL KEY
WORDS SUCH AS SHOW, CORRECT?

A. YES.

Q. AND YOU TESTIFIED THAT AFTER YOU HAD A VERY SMALL SET OF
COMMANDS FOR A NEW FUNCTIONALITY YOU WOULD LOOK AT WHAT YOU HAD
ALREADY DONE BEFORE BECAUSE YOU NEEDED TO FIT IN WITH THAT,
CORRECT?

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

09:45AM 1 A. YES.

09:45AM 2 Q. AND YOU SAID THAT YOU NEEDED TO BE REASONABLE AND LOGICAL,

09:45AM 3 RIGHT?

09:45AM 4 A. THAT WOULD BE DESIRABLE. NOT REQUIRED, BUT DESIRABLE.

09:45AM 5 Q. OKAY. AND YOU SAID THAT YOU WANTED THERE TO BE A RHYME AND

09:45AM 6 A REASON TO THINGS, CORRECT?

09:46AM 7 A. YES.

09:46AM 8 Q. YOU ALSO SAID THAT YOU NEEDED TO COMMUNICATE TO NETWORK

09:46AM 9 MANAGERS AND SUPPORT PEOPLE, RIGHT?

09:46AM 10 A. CORRECT.

09:46AM 11 Q. AND YOU SAID THAT YOU NEEDED SOMETHING THAT WOULD MAKE

09:46AM 12 SENSE TO THAT AUDIENCE, RIGHT?

09:46AM 13 A. RIGHT.

09:46AM 14 Q. OKAY. SO LET'S TALK ABOUT SOME OF THE ACTUAL COMMANDS THAT

09:46AM 15 YOU CHOSE. ONE OF THE 506 CLI COMMANDS THAT CISCO IS ASSERTING

09:46AM 16 IN THIS CASE IS THE COMMAND IP ADDRESS, RIGHT?

09:46AM 17 A. YES.

09:46AM 18 Q. AND YOU CLAIM THAT YOU AUTHORED THE COMMAND IP ADDRESS,

09:46AM 19 RIGHT?

09:46AM 20 A. YES.

09:46AM 21 Q. OKAY. YOU SAID YESTERDAY THAT YOU CONSIDERED SEVERAL

09:46AM 22 DIFFERENT OPTIONS FOR IP AND A FEW OPTIONS, AT LEAST TWO

09:46AM 23 OPTIONS FOR ADDRESS, AND YOU DECIDED ON IP ADDRESS, RIGHT?

09:46AM 24 A. YES.

09:46AM 25 Q. OKAY. BUT YOU HAD HEARD THE TERM IP ADDRESS BEFORE YOU

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

10:33AM 1

MR. SILBERT:

10:33AM 2

Q. IF YOU LOOK RIGHT THERE ON THE COVER PAGE AT THE BOTTOM, IT

10:33AM 3

SAYS COPYRIGHT, 1986, STANFORD UNIVERSITY, RIGHT?

10:34AM 4

A. CORRECT.

10:34AM 5

Q. OKAY. NOW YOU COPIED SUBSTANTIAL PORTIONS OF THIS MANUAL,

10:34AM 6

COPYRIGHTED TO STANFORD UNIVERSITY, TO CREATE THE CISCO MANUAL,

10:34AM 7

RIGHT?

10:34AM 8

A. THAT'S CORRECT.

10:34AM 9

Q. AND THE LICENSE THAT CISCO EVENTUALLY NEGOTIATED WITH

10:34AM 10

STANFORD WAS AT SOME POINT AFTER YOU CREATED THE CISCO MANUAL,

10:34AM 11

RIGHT?

10:34AM 12

A. THAT'S CORRECT.

10:34AM 13

Q. AT THE TIME YOU COPIED THE STANFORD MANUAL TO CREATE THE

10:34AM 14

CISCO MANUAL, YOU HAD NO LICENSE FROM STANFORD, RIGHT?

10:34AM 15

A. THAT'S CORRECT.

10:34AM 16

Q. OKAY. I WANT TO SWITCH GEARS TO ANOTHER TOPIC.

10:34AM 17

YOU TESTIFIED YESTERDAY ABOUT HOW CISCO WAS FOUNDED, RIGHT

10:34AM 18

A. YES.

10:34AM 19

Q. AND ONE OF YOUR ROLES AT CISCO HAS BEEN TO PARTICIPATE IN

10:34AM 20

ACTIVITIES THAT CELEBRATE THE HISTORY OF CISCO, RIGHT?

10:34AM 21

A. I'M OFTEN ASKED TO TALK ABOUT THE HISTORY OF CISCO, YES.

10:35AM 22

Q. OKAY. WOULD YOU PLEASE LOOK AT EXHIBIT 5464. THIS IS A

10:35AM 23

DOCUMENT THAT WAS PRODUCED TO US FROM YOUR FILES?

10:35AM 24

A. OKAY.

10:35AM 25

Q. AND YOU SEE YOU ARE QUOTED IN THIS DOCUMENT AS WELL, IF YOU

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

10:35AM 1 LOOK UNDER THE HEADING, CRUCIAL EARLY DECISIONS LEAD TO
10:35AM 2 SUCCESS. DO YOU SEE A QUOTE ATTRIBUTED TO YOU? I THINK IT'S A
10:35AM 3 PARAGRAPH OR TWO DOWN FROM THAT, ACTUALLY. IT'S THE PARAGRAPH
10:35AM 4 THAT BEGINS, WE WERE VERY INTERESTED IN WHATEVER THE CUSTOMER
10:35AM 5 WANTED TO PAY, SAYS LOUGHEED. DO YOU SEE THAT?

10:35AM 6 A. YES, I SEE THAT.

10:35AM 7 MR. SILBERT: YOUR HONOR I OFFER EXHIBIT 5464.

10:36AM 8 MR. PAK: NO OBJECTION, YOUR HONOR.

10:36AM 9 THE COURT: IT WILL BE ADMITTED.

10:36AM 10 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 5464, HAVING BEEN
10:36AM 11 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
10:36AM 12 EVIDENCE.)

10:36AM 13 MR. SILBERT:

10:36AM 14 Q. IF WE LOOK AT THAT PARAGRAPH I REFERRED TO EARLIER, CRUCIAL
10:36AM 15 EARLY DECISIONS LEAD TO SUCCESS. DO YOU SEE THAT ON THE MIDDLE
10:36AM 16 OF THE FIRST PAGE?

10:36AM 17 A. YES.

10:36AM 18 Q. IT SAYS SEVERAL EARLY DECISIONS ABOUT HOW TO BUILD IOS GAVE
10:36AM 19 IT STAYING POWER AND MADE CISCO A STANDOUT, SAY TWO OF CISCO'S
10:36AM 20 ENGINEERING LEADERS, JOEL BION, SVP OF RESEARCH AND ADVANCED
10:36AM 21 DEVELOPMENT, WHO LEADS THE NETWORK SOFTWARE AND SERVICE
10:36AM 22 TECHNOLOGY GROUP, NSSTG, AND JOINED CISCO 20 YEARS AGO, AND
10:36AM 23 KIRK LOUGHEED, A MEMBER OF CISCO'S FOUNDING TEAM, ITS FIRST
10:36AM 24 ENGINEER, THE DESIGNER OF IOS AND A CISCO FELLOW.

10:36AM 25 DO YOU SEE THAT?

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

10:36AM 1 A. I SEE THAT.

10:36AM 2 Q. NOW MR. BION, THAT'S WHO YOU REPORT TO AT CISCO, CORRECT?

10:36AM 3 A. HE'S BEEN MY BOSS SINCE 2001, I BELIEVE.

10:36AM 4 Q. OKAY. OF THE SO IF YOU COULD TURN THE PAGE, I WANT TO

10:37AM 5 DIRECT YOUR ATTENTION TO THE SECOND PAGE UNDER THE HEADING

10:37AM 6 TRANSFORMING AN INDUSTRY. NOW WHAT THE FIRST SENTENCE THERE

10:37AM 7 SAYS IS ONE OF IOS'S BIGGEST LEGACIES IS ESTABLISHING THE

10:37AM 8 INDUSTRY STANDARD FOR HOW PEOPLE INTERFACE WITH ROUTERS AND

10:37AM 9 SWITCHES KNOWN AS THE COMMAND LANGUAGE INTERFACE OR CLI.

10:37AM 10 DO YOU SEE THAT?

10:37AM 11 A. I SEE THAT PARAGRAPH.

10:37AM 12 Q. AND THEN THERE'S A QUOTE FROM MR. BION, YOUR BOSS, IT SAYS

10:37AM 13 "ANYONE WHO GOES TO CONFIGURE A COMPETITOR'S PRODUCT, PEOPLES

10:37AM 14 VERY MUCH AT HOME."

10:37AM 15 DO YOU SEE THAT LANGUAGE?

10:37AM 16 A. I SEE THAT.

10:37AM 17 Q. THAT'S A TRUE STATEMENT, RIGHT?

10:37AM 18 A. I DON'T KNOW IF IT'S TRUE. IT CERTAINLY -- YOU CERTAINLY

10:37AM 19 HAVE COMPETITORS PRODUCTS THAT DO NOT USE CISCO CLI'S.

10:38AM 20 Q. OH, I SEE. SO NOT EVERY COMPETITOR USES THE CISCO CLI?

10:38AM 21 A. I DON'T KNOW ABOUT EVERY COMPETITOR.

10:38AM 22 Q. OKAY. WOULD YOU PLEASE -- YOU CAN PUT THAT ASIDE. WOULD

10:38AM 23 YOU PLEASE TURN TO EXHIBIT 8267.

10:38AM 24 THIS IS ANOTHER E-MAIL PRODUCED TO US FROM YOUR FILES.

10:38AM 25 WOULD YOU PLEASE LOOK AT THE ADDRESSEE'S OF THE E-MAIL. I'M

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

10:59AM 1 Q. CISCO ALSO USES THE CLI COMMAND, CLEAR IP BGP, CORRECT?

10:59AM 2 A. YES.

10:59AM 3 Q. AND CISCO TOLD US IN THIS CASE THAT THAT COMMAND WAS ADDED

11:00AM 4 TO THE CISCO CLI IN 1993. I WOULD LIKE YOU TO PLEASE LOOK AT

11:00AM 5 THE PAGE ENDING IN 233. AGAIN, I'M REFERRING TO THOSE NUMBERS

11:00AM 6 THAT LAWYERS ADD AT THE BOTTOM OF THE PAGE, THE BATES NUMBERS.

11:00AM 7 YOU SEE THERE THE COMMAND IN THE DEC MANUAL FOR MAY 1993,

11:00AM 8 YOU SEE THE COMMAND CLEAR IP BGP?

11:00AM 9 A. YES, I DO.

11:00AM 10 Q. AND THAT'S THE SAME COMMAND THAT CISCO USES IN ITS CLI,

11:00AM 11 RIGHT? THE SAME COMMAND THAT WAS IN THE DEC MANUAL THAT WAS IN

11:00AM 12 YOUR FILES, RIGHT?

11:00AM 13 A. IT APPEARS TO BE THE SAME COMMAND.

11:00AM 14 Q. DO YOU THINK THAT WAS A COINCIDENCE TOO?

11:00AM 15 A. I SUSPECT THEY HAD SEEN WHAT CISCO HAD DONE.

11:01AM 16 Q. YOU THINK THEY COPIED CISCO?

11:01AM 17 A. I CAN'T SAY THAT WITH CERTAINTY. CERTAINLY I WAS ONE OF

11:01AM 18 THE CO DESIGNERS OF THE BGP PROTOCOL AND I DID IMPLEMENT A

11:01AM 19 COMMAND-LINE INTERFACE THAT HAD FUNCTIONALITY LIKE THIS.

11:01AM 20 Q. CISCO USED THE COMMAND CLEAR IP BGP, RIGHT?

11:01AM 21 A. YES.

11:01AM 22 Q. AND THAT COMMAND, ACCORDING TO CISCO, IN THE INFORMATION

11:01AM 23 THEY GAVE US IN THIS LAWSUIT, WAS ADDED TO THE CISCO CLI IN

11:01AM 24 1993, RIGHT?

11:01AM 25 A. THERE WAS A -- SO YES, I SUSPECT THAT FORM OF THE COMMAND

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

11:01AM 1 WAS PROBABLY DONE AT THAT TIME.

11:01AM 2 Q. OKAY. AND THIS DEC ROUTER MANUAL DATED MAY 1993, WHICH WAS
11:02AM 3 IN YOUR FILES AT CISCO, HAS THE COMMAND, CLEAR IP BGP, RIGHT?

11:02AM 4 A. YES.

11:02AM 5 Q. AND YOU ARE TELLING ME YOU THINK THAT'S A COINCIDENCE?

11:02AM 6 A. I REMEMBER IMPLEMENTING A COMMAND, CLEAR BGP. I KNOW I
11:02AM 7 INVENTED SUCH A COMMAND EARLY ON BEFORE THIS TIMEFRAME BECAUSE
11:02AM 8 I WAS THE AUTHOR OF THAT PROTOCOL AT CISCO. I WAS ALSO THE --
11:02AM 9 THE CO-AUTHOR OF THE PROTOCOL SPECIFICATION. AND I CERTAIN
11:02AM 10 NEEDED A WAY OF RESTARTING OR CLEARING BGP DATA.

11:02AM 11 SO PREFACING IT WITH AN IP COULD HAVE BEEN ADDED LATER ON.

11:02AM 12 Q. THAT'S JUST A LOGICAL THING TO DO, ONCE YOU HAVE CLEAR BGP,
11:02AM 13 IT'S JUST LOGICAL TO ADD IP IF YOU WANT TO SPECIFY INTERNET
11:02AM 14 PROTOCOL?

11:02AM 15 A. IT WOULD BE IN LINE WITH REGULARIZING THE COMMAND-LINE
11:02AM 16 INTERFACE.

11:02AM 17 Q. OKAY. CISCO USES A COMMAND IN ITS CLI, DISTANCE BGP,
11:03AM 18 RIGHT?

11:03AM 19 A. YES.

11:03AM 20 Q. OKAY. AND ACCORDING TO CISCO, THAT COMMAND WAS ADDED TO
11:03AM 21 THE CISCO CLI IN 1993. COULD YOU PLEASE LOOK ONE PAGE EARLIER
11:03AM 22 IN EXHIBIT 5031, THE PAGE ENDING IN 232. YOU SEE THE COMMAND
11:03AM 23 THERE IN THE DEC MANUAL THAT WAS IN YOUR FILES, DISTANCE BGP?

11:03AM 24 A. YES.

11:03AM 25 Q. THAT'S THE SAME COMMAND CISCO ADDED IN 1993?

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

11:03AM 1 A. CISCO ADDED -- SO I SUSPECT THE DATES IN THE CISCO STUFF,
11:03AM 2 THE EARLIEST THEY WERE ABLE TO FIND RECORDS OF THOSE COMMANDS.
11:03AM 3 I HAD ADDED A DISTANCE COMMAND IN -- MUCH EARLIER THAN THAT.
11:03AM 4 Q. YOU THINK THE DIGITAL EQUIPMENT CORPORATION COPEDED CISCO
11:03AM 5 CLI?
11:04AM 6 A. I -- IT CERTAINLY LOOKS LIKE THEY USED THE SAME TERMINOLOGY
11:04AM 7 THAT I USED WHEN I CREATED THE DISTANCE COMMAND.
11:04AM 8 Q. CISCO USES THE COMMAND IP DOMAIN LOOKUP, RIGHT?
11:04AM 9 A. YES.
11:04AM 10 Q. AND ACCORDING TO CISCO THAT WAS ADDED TO THE CLI IN 1993.
11:04AM 11 COULD YOU PLEASE LOOK AT PAGE 156 OF EXHIBIT 5031. DO YOU SEE
11:04AM 12 THERE THE COMMAND IP DOMAIN LOOKUP IN THE DEC MANUAL THAT WAS
11:04AM 13 IN YOUR FILES?
11:04AM 14 A. I SEE WHAT YOU'VE HIGHLIGHTED, YES.
11:04AM 15 Q. DO YOU THINK THAT WAS A COINCIDENCE?
11:04AM 16 A. I THINK THEY HAD SEEN WHAT CISCO HAD DONE AND --
11:05AM 17 Q. YOU ARE SPECULATING, RIGHT?
11:05AM 18 A. I'M SPECULATING. I'M SPECULATING. AS I'VE SAID, I HAVE
11:05AM 19 NOT SEEN THIS MANUAL BEFORE. I HAVE NO MEMORY OF SEEING THE
11:05AM 20 MANUAL BEFORE.
11:05AM 21 Q. OKAY. IF YOU STILL LOOK AT THAT SAME PAGE, YOU SEE THE
11:05AM 22 COMMAND IP DOMAIN NAME UP THERE. A FEW LINES UP?
11:05AM 23 A. YEP.
11:05AM 24 Q. THAT'S ANOTHER COMMAND THAT CISCO USES, RIGHT?
11:05AM 25 A. YES.

CROSS-EXAMINATION OF MR. LOUGHEED BY MR. SILBERT

11:05AM 1 Q. DO YOU HAVE ANY EXPLANATION FOR HOW IP DOMAIN NAME APPEARS
11:05AM 2 IN THE DEC MANUAL THAT WAS IN YOUR FILES AND ALSO APPEARS IN
11:05AM 3 THE CISCO CLI?
11:05AM 4 A. NO, I DON'T.
11:05AM 5 Q. CISCO USES A COMMAND, SHOW IP BGP, RIGHT?
11:05AM 6 A. WHO DOES?
11:05AM 7 Q. CISCO.
11:05AM 8 A. YES.
11:05AM 9 Q. WOULD YOU PLEASE LOOK AT THE PAGE ENDING IN 290 OF
11:06AM 10 EXHIBIT 5031. YOU SEE THE COMMAND THERE SHOW IP BGP?
11:06AM 11 A. I SEE THAT.
11:06AM 12 Q. YOU HAVE NO EXPLANATION, DO YOU, FOR HOW THE COMMAND SHOW
11:06AM 13 IP BGP APPEARS BOTH IN CISCO'S CLI AND IN THE DEC MANUAL DATED
11:06AM 14 MAY 1993 THAT WAS IN YOUR FILES?
11:06AM 15 A. NO, I DON'T. I WAS -- AS I'VE INDICATED, I'M THE ONE OF
11:06AM 16 THE DESIGNERS OF BGP, AND MY CO-AUTHOR AND I CAME UP WITH THE
11:06AM 17 BGP IMPLEMENT, SEPARATE BGP IMPLEMENTATIONS, ONE DONE AT IBM,
11:06AM 18 ONE DONE AT CISCO, DONE IN 1989.
11:06AM 19 Q. RIGHT. AND BGP IS THE BORDER GATEWAY PROTOCOL, IT'S A
11:06AM 20 NETWORKING STANDARD PROTOCOL, RIGHT?
11:06AM 21 A. IT IS NOW, YES.
11:06AM 22 Q. EVERYBODY CALLS IT BGP, RIGHT?
11:07AM 23 A. OR GATEWAY, YES.
11:07AM 24 Q. AND THE COMMAND, THIS SPECIFIC CLI COMMAND, SHOW IP BGP,
11:07AM 25 THAT CLI COMMAND IS USED IN CISCO'S CLI, RIGHT?

REDIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

11:08AM 1 WAS THE SUBJECT OF MANY QUESTIONS FROM MR. SILBERT.

11:08AM 2 IF I CAN HAVE, I THINK IT WAS SLIDE NUMBER TWO.

11:08AM 3 IF WE COULD HAVE THAT ON THE SCREEN.

11:08AM 4 NOW JUST TO REMIND THE JURY HERE, WHAT TYPE OF SYSTEM WAS

11:08AM 5 THE DEC SYSTEMS 20 BACK IN THE EARLY 1980S?

11:09AM 6 A. IT WAS A MAIN FRAME SYSTEM THAT PROVIDED GENERAL COMPUTING

11:09AM 7 SUPPORT. STANFORD USED IT FOR THEIR FACULTY STAFF AND

11:09AM 8 COMPUTING NEEDS.

11:09AM 9 Q. WAS THAT AN IP ROUTER?

11:09AM 10 A. NO.

11:09AM 11 Q. AND SO WHEN MR. SILBERT WAS ASKING YOU ALL THESE QUESTIONS

11:09AM 12 ABOUT SOME OF THE MANUALS AND SO FURTHER WITH RESPECT TO THE

11:09AM 13 DEC SYSTEMS 20, THAT SYSTEM MANUAL WAS NOT DESCRIBING AN IP

11:09AM 14 ROUTER; IS THAT CORRECT?

11:09AM 15 A. THAT'S CORRECT.

11:09AM 16 Q. AND SIR, DID YOU TRY TO SLAVISHLY COPY THE USER INTERFACE

11:09AM 17 OF THE DEC SYSTEMS 20 IN ORDER TO BUILD YOUR IP ROUTER?

11:09AM 18 A. NO.

11:09AM 19 Q. AND WHY NOT?

11:09AM 20 A. IT WOULDN'T HAVE BEEN HELPFUL. I HAD A NEW PROBLEM TO

11:09AM 21 SOLVE, AND I WAS NOT PARTICULARLY CONSTRAINED BY WHAT CHOICE OF

11:09AM 22 COMMANDS OR EXPRESSIONS OR HOW I DID THINGS. IT WAS A NEW

11:10AM 23 PRODUCT, A NEW MARKETPLACE, AND THE CUSTOMERS WE WERE AIMING

11:10AM 24 HAD, MOST HAD NEVER SEEN AN IP ROUTER BEFORE, PRACTICALLY ALL

11:10AM 25 OF THEM HAD NOT SEEN AN IP ROUTER BEFORE 86.

REDIRECT EXAMINATION OF MR. LOUGHEED BY MR. PAK

11:30AM 1 THESE COMMANDS WERE CREATED MUCH EARLIER IN TIME, DO YOU RECALL
11:30AM 2 THAT TESTIMONY?

11:30AM 3 A. YES.

11:30AM 4 Q. AND CAN YOU GIVE A SENSE TO THE JURY AS TO THE TIME PERIOD
11:30AM 5 WHEN MANY OF THESE COMMANDS THAT WERE ASKED BY YOU WOULD HAVE
11:30AM 6 BEEN CREATED?

11:30AM 7 A. WHICH --

11:30AM 8 Q. FOR EXAMPLE THE BGP SET OF COMMANDS.

11:30AM 9 A. IN JANUARY OF 1989 YAKOV REKHTER OF IBM AND I COLLABORATED
11:30AM 10 ON DESIGNS A NETWORK PROTOCOL CALLED BGP. THE INTERNET WAS
11:30AM 11 HAVING TOO MANY NETWORKS FOR THE EXISTING PROTOCOLS TO HANDLE
11:30AM 12 SO WE NEEDED TO CREATE SOMETHING NEW.

11:30AM 13 AND WE HAD MET AT A CONFERENCE. WE SKETCHED IT ON TWO
11:30AM 14 COPIES OF NAPKINS. I TOOK ONE OF THOSE COPIES, YAKOV TOOK THE
11:30AM 15 OTHER. HE WENT BACK TO IBM, I WENT BACK TO CISCO AND WE
11:30AM 16 CREATED THE FIRST BGP IMPLEMENTATION, INCLUDING THE COMMANDS TO
11:31AM 17 SOME OF THE FUNDAMENTAL COMMANDS TO MONITOR THAT STUFF.

11:31AM 18 SO WITHIN A FEW MONTHS WE ACTUALLY HAD THE VERY FIRST TWO
11:31AM 19 IMPLEMENTATIONS TALKING TO ONE ANOTHER, AND SHORTLY THEREAFTER
11:31AM 20 WE PUBLISHED THE FIRST -- THE FIRST DOCUMENT THAT SORT OF
11:31AM 21 DEFINED THE PROTOCOL SO THAT OTHERS COULD LOOK AT IT AND COME
11:31AM 22 UP WITH THEIR OWN IMPLEMENTATIONS. AND WITHIN SIX MONTHS THERE
11:31AM 23 WAS ANOTHER IMPLEMENTATION AND PEOPLE -- PEOPLE HAVE BEEN ABLE
11:31AM 24 TO CREATE -- BGP IS NOW A FOUNDATIONAL PROTOCOL IN THE INTERNET
11:31AM 25 Q. AND JUST TO BE CLEAR, YOU WERE ONE OF THE FIRST OR YOU WERE

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

11:48AM 1 A. I HAVE -- I HAVE BEEN ON THE PARSER-POLICE MAILING LIST
11:48AM 2 PROVIDING FEEDBACK. I HAVE DEVELOPED A COMMAND MYSELF AND GOT
11:48AM 3 FEEDBACK FROM THE PARSER-POLICE, AND I DEVELOPED A DOCUMENT
11:48AM 4 CALLED THE PARSER-POLICE MANIFESTER.

11:48AM 5 Q. ALL RIGHT. SO LET'S TALK ABOUT THE PARSER-POLICE
11:48AM 6 MANIFESTER.

11:48AM 7 CAN YOU TELL ME WHAT THE PARSER-POLICE MANIFESTER IS?

11:48AM 8 A. THE PARSER-POLICE MANIFESTER IS A DOCUMENT THAT I AUTHORED
11:48AM 9 WHICH PROVIDES A SET OF GUIDELINES TO ENGINEERS ABOUT THE
11:48AM 10 CONTENTS OR THE WAY THEY SHOULD DEVELOP THE USER INTERFACE, THE
11:48AM 11 COMMAND-LINE INTERFACE TO CISCO PRODUCTS.

11:48AM 12 Q. AND WHEN DID YOU AUTHOR THAT DOCUMENT?

11:48AM 13 A. SOME TIME IN THE LATE 1990'S.

11:48AM 14 Q. DO YOU KNOW WHETHER THAT'S A DOCUMENT THAT'S BEEN
11:48AM 15 MAINTAINED AT CISCO?

11:48AM 16 A. IT HAS. IT GETS PERIODICALLY REVISED AND THERE IS A
11:49AM 17 CURRENT VERSION IN OUR DOCUMENT CONTROL SYSTEM THAT YOU CAN
11:49AM 18 PULL UP.

11:49AM 19 Q. HOW ABOUT -- IS IT SOMETHING THAT'S EVER REFERRED TO?

11:49AM 20 A. A LOT OF INTERNAL PROCESSES REFER TO USING THE
11:49AM 21 PARSER-POLICE AND -- THE PARSER-POLICE MANIFESTER IS KEY TO
11:49AM 22 UNDERSTANDING HOW TO BEST USE THE PARSER-POLICE DISCUSSION
11:49AM 23 GROUP.

11:49AM 24 Q. SO I WANT TO TURN TO THAT IN A MINUTE. THE TERM POLICE,
11:49AM 25 THAT KIND OF TO ME, THAT'S AUTHORITY, RIGHT?

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

11:49AM 1 A. YOU WOULD THINK SO. BUT IT'S ACTUALLY NOT AN AUTHORITY.

11:49AM 2 IT IS A DISCUSSION GROUP. IT'S MORE OF AN ADVICE GROUP.

11:49AM 3 Q. AND WHAT DO YOU MEAN BY THAT? GIVE ME AN EXAMPLE?

11:49AM 4 A. SO THE -- AN ENGINEER COMING UP WITH A NEW COMMAND WILL

11:49AM 5 PROPOSE THE SYNTAX TO THE PARSER-POLICE FOR FEEDBACK. AND

11:49AM 6 THERE ARE A GROUP OF VOLUNTEERS WHO STAFF THIS LIST WHO PROVIDE

11:50AM 7 FEEDBACK BASED ON WHAT THEY BELIEVE ARE BEST PRACTICES.

11:50AM 8 AND THE DISCUSSIONS, AS YOU CAN IMAGINE, WE'VE GOT

11:50AM 9 EMPOWERED, OPINIONATED AND SMART ENGINEERS, THEY MAY NOT REACH

11:50AM 10 A CONCLUSION THAT EVERYBODY AGREES WITH. BUT THE POINT IS IT'S

11:50AM 11 A SET OF FEEDBACK.

11:50AM 12 AND AT THE END OF THE DAY, THE ENGINEER WRITING THE COMMAND

11:50AM 13 HAS THE SAY OF HOW IT GOES INTO THE CODE, HOW THE COMMAND GETS

11:50AM 14 WRITTEN.

11:50AM 15 Q. SO LET ME TURN TO -- OR HAVE YOU TURN TO, I GAVE YOU THE

11:50AM 16 BINDER, WE SHOULD USE IT. EXHIBIT 851 SHOULD BE BEHIND A TAB

11:50AM 17 THERE.

11:50AM 18 A. I HAVE IT.

11:50AM 19 Q. DO YOU SEE THAT?

11:50AM 20 A. I DO.

11:50AM 21 Q. DO YOU RECOGNIZE THIS DOCUMENT?

11:50AM 22 A. I DO.

11:50AM 23 Q. AND CAN YOU TELL US WHAT IT IS?

11:50AM 24 A. THIS IS ONE OF THE EARLY VERSIONS OF THE PARSER-POLICE

11:51AM 25 MANIFESTER.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

11:53AM 1 WHEN YOU ARE INTRODUCING A FEATURE FOR THE FIRST TIME AS AN
11:53AM 2 ENGINEER, YOU SHOULD THINK ABOUT WHAT MIGHT HAPPEN IN THE
11:53AM 3 FUTURE, WHAT THINGS MIGHT COME LATER AND DESIGN THE COMMAND SO
11:53AM 4 THAT NEW KEY WORDS CAN BE ADDED OR NEW ELEMENTS IN THE
11:53AM 5 SEQUENCE OR NEW MEMBERS OF THE HIERARCHY SO THAT WHEN YOU
11:53AM 6 CREATE A COMMAND FOR THE FIRST TIME, YOU THINK, YOU KNOW, 2, 3,
11:53AM 7 5, YEARS DOWN THE LINE WHAT'S GOING TO HAPPEN NEXT.

11:54AM 8 Q. NOW, I WANT TO GO TO THE NEXT SECTION OF THIS DOCUMENT. IT
11:54AM 9 SAYS AUTHORITY?

11:54AM 10 A. YES.

11:54AM 11 Q. CAN YOU TELL ME WHAT THE PURPOSE OF THIS SECTION WAS?

11:54AM 12 A. THIS WAS TO MAKE IT CLEAR THAT THE PARSER-POLICE WAS IN
11:54AM 13 FACT A DISCUSSION GROUP AND THAT NOTHING THAT THE PARSER-POLICE
11:54AM 14 SAID WAS GOING TO BE BINDING ON THE PROFESSIONAL JUDGMENT OF
11:54AM 15 THE ENGINEER AUTHORIZING THE COMMAND, IT WAS JUST THERE FOR
11:54AM 16 GUIDELINES, ALTHOUGH SOME OTHER GUIDELINES IN THE COMPANY MIGHT
11:54AM 17 REQUIRE YOU TO GET FEEDBACK, THERE WAS NO REQUIREMENT THAT THE
11:54AM 18 ENGINEER ACCEPT THE FEEDBACK.

11:54AM 19 Q. AND WHY WAS THAT?

11:54AM 20 A. AGAIN, ENGINEERS ARE EMPOWERED, WE WANT THEM TO EXERCISE
11:54AM 21 THEIR PROFESSIONAL JUDGMENT IN DOING WHAT THEY DO.

11:54AM 22 Q. SO I WANT TO GO TO THE SECOND PARAGRAPH, AND THE FIRST
11:54AM 23 SENTENCE THERE IN THE SECOND PARAGRAPH, IT SAYS, HOWEVER, AND
11:54AM 24 YOU CAN HIGHLIGHT THAT, MR. FISHER WHILE I READ QUITE SLOWLY.

11:55AM 25 HOWEVER, SINCE IT HAS NO SPECIFIC AUTHORITY, PARSER-POLICE

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

11:55AM 1 DERIVES ITS AUTHORITY BY HAVING GOOD ANSWERS, LEVEL-HEADED

11:55AM 2 DISCOURSE AND A HISTORY OF SUCCESSES. DO YOU SEE THAT?

11:55AM 3 A. THAT'S RIGHT.

11:55AM 4 Q. SO WHAT WERE YOU REFERRING TO, WILLFUL-HEADED DISCOURSE

11:55AM 5 THERE?

11:55AM 6 A. AS I SAID, WHEN YOU'VE GOT A BUNCH OF INTELLIGENCE,

11:55AM 7 OPINIONATED ENGINEERS, WHEN THEIR OPINIONS DIFFER, LET'S JUST

11:55AM 8 SAY SOME OF THE DISCUSSION CAN GET PERSONAL. SO THIS WAS A

11:55AM 9 POLITE REMINDER TO THE MEMBERS OF THE LIST THAT WE EXPECTED THE

11:55AM 10 DISCOURSE TO BE CIVIL AND LEVEL HEADED, AND THAT THE AUTHORITY

11:55AM 11 DID NOT COME FROM SOME RULE SAYING YOU HAVE TO FOLLOW IT. BUT

11:55AM 12 THE PARSER-POLICE ONLY HAD AUTHORITY WHEN IT CAME UP WITH GOOD

11:55AM 13 ANSWERS AND SUCCESSFUL ANSWERS.

11:55AM 14 SO IT WAS IMPORTANT TO BE POLITE AND LISTEN TO OTHER FOLKS

11:55AM 15 ON THE LIST AND NOT JUST GET INTO FIGHTS.

11:55AM 16 Q. WERE THERE TIMES WHEN THAT WASN'T THE CASE, WHEN THE

11:55AM 17 DISCOURSE WAS LESS THAN LEVEL-HEADED?

11:56AM 18 A. OH, YEAH.

11:56AM 19 Q. AND WHAT DO YOU MEAN BY THAT?

11:56AM 20 A. JUST, IF -- IF -- IF TWO CAMPS OF ENGINEERS HAD DIFFERENT

11:56AM 21 OPINIONS ABOUT, WELL, WE SHOULD ADD A NEW NODE NOT HEIRARCHY,

11:56AM 22 NO, IT REALLY SHOULD BE A KEY WORD IN THE EXISTING HIERARCHY,

11:56AM 23 YOU WOULD THINK THAT FOR SOMETHING SO NERDY AND TECHNICAL THAT

11:56AM 24 IT WOULDN'T GET VERY PASSIONATE, BUT THIS IS WHAT THE ENGINEERS

11:56AM 25 DO, THEY REALLY, THEY REALLY GET INTO IT.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:10PM 1 COMMANDS THAT THEY NEED?

01:10PM 2 A. THAT IT'S MORE USEABLE, MORE FRIENDLY. WHEN YOU'RE USING

01:10PM 3 THE BOX, THE THINGS, THE COMMANDS SHOULD BE ARRANGED AND

01:10PM 4 GROUPED IN A LOGICAL, EASY TO FIND ORDER.

01:10PM 5 Q. SO NOW, I WANT TO GO BACK TO YOUR PARSER-POLICE MANIFESTER,

01:10PM 6 WHICH I BELIEVE IS EXHIBIT 851, AND LOOK AT THAT -- I KEEP

01:10PM 7 CALLING IT THE LAST SECTION BUT I'M ACTUALLY WRONG. I THINK

01:10PM 8 IT'S THE NEXT TO LAST SECTION. IT'S CALLED SYNTAX DESIGN

01:10PM 9 GUIDELINES.

01:11PM 10 DO YOU SEE THAT?

01:11PM 11 A. YES.

01:11PM 12 Q. AND YOU HAVE A LIST OF TEN THERE; IS THAT RIGHT?

01:11PM 13 A. SORRY, A LIST OF --

01:11PM 14 Q. THERE'S A LIST --

01:11PM 15 A. THERE'S A LIST OF TEN GUIDELINES, YES.

01:11PM 16 Q. OKAY. SO, ARE THESE GUIDELINES ALWAYS FOLLOWED?

01:11PM 17 A. THEY ARE NOT ALWAYS FOLLOWED.

01:11PM 18 Q. AND CAN YOU GIVE US SOME EXAMPLES OF THAT?

01:11PM 19 A. ONE OF THE EXAMPLES I HAVE IN SECTION 2 IN THE CASE WHERE

01:11PM 20 THE GUIDELINES WEREN'T FOLLOWED, I ILLUSTRATE AS A BAD EXAMPLE

01:11PM 21 OF FAILING TO THINK IN AN EXTENSIBLE WAY.

01:11PM 22 Q. AND IF WE CAN PUT THAT, BLOW THAT SECTION UP, MR. FISHER.

01:11PM 23 SECTION 2 -- OKAY. IS THIS THE SECTION YOU ARE TALKING ABOUT?

01:11PM 24 A. YES.

01:11PM 25 Q. CAN YOU EXPLAIN TO ME WHAT THE GOOD AND BAD EXAMPLE IS

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:11PM 1

THERE?

01:11PM 2

A. SO, ISDN IS A TECHNOLOGY, A DIGITAL COMMUNICATIONS

01:11PM 3

TECHNOLOGY. AND THIS COMMAND, THE PERSON WRITING THE ISDN,

01:12PM 4

COMMAND CREATED TWO CHILDREN IN THE DEBUG HIERARCHY,

01:12PM 5

SPECIFICALLY ISDN, Q931 AND ISDN Q921 WHICH ARE DIFFERENT

01:12PM 6

ASPECTS OF THE ISDN PROTOCOL.

01:12PM 7

AND WHAT THEY DID WAS THEY MADE EACH, EVEN -- THE BETTER

01:12PM 8

WAY TO HAVE DONE IT WOULD HAVE BEEN TO TAKE ISDN THE CHILD AND

01:12PM 9

INTRODUCE Q921 AND Q931 AS CHILDREN SO THAT THE HIERARCHY WOULD

01:12PM 10

BE GROUPED TOGETHER.

01:12PM 11

I RELATED ISDN COMMANDS, WOULD BE UNDER A HIERARCHY INSTEAD

01:12PM 12

OF A BROADER GROUP. THIS WOULD MAKE THE ISDN COMMANDS EASIER

01:12PM 13

TO FIND IF THEY WERE GROUPED AS A HIERARCHY.

01:12PM 14

Q. IS THAT THE CASE IN THE CISCO CLI?

01:12PM 15

A. IT IS NOT. IT IS NOT.

01:12PM 16

AGAIN, THE ENGINEER WAS ABLE TO USE THEIR OWN CREATIVITY

01:12PM 17

AND JUDGMENT IN MAKING THE COMMANDS, AND THE AESTHETIC WOULD

01:13PM 18

HAVE LEAD US TO SEPARATE OR TO THINK EXTENSIBLY WAS THE

01:13PM 19

GUIDELINE, THE GUIDELINE WOULD BE TO THINK EXTENSIBLY. AND IN

01:13PM 20

THIS CASE I'M AFRAID IT WAS OVERLOOKED.

01:13PM 21

Q. NOW I WANT TO TALK ABOUT ANOTHER ONE. IF WE GO TO NUMBER

01:13PM 22

FOUR IN YOUR LIST WHICH IS ON THE NEXT PAGE?

01:13PM 23

A. YES.

01:13PM 24

Q. IT SAYS WATCH FOR COLLISIONS; DO YOU SEE THAT?

01:13PM 25

A. I DO.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:17PM 1 IS IN FACT A PARENT-LEVEL COMMAND. BUT WHEN WE STARTED
01:18PM 2 INTRODUCING NEW PROTOCOLS, IPV6, IPX, APPLE TALK, WE REALIZED
01:18PM 3 THE MTU MIGHT BE DIFFERENT FOR THEM.

01:18PM 4 SO IN FACT, WE GOT RID OF MTU AS A TOP LEVEL KEY WORD AND
01:18PM 5 INSTEAD USED A NEW TOP LEVEL KEY WORD FOR THE PROTOCOL, IP OR
01:18PM 6 IPV6, AND THEN MADE MTU IN THAT CASE, THE CHILD OF THAT
01:18PM 7 COMMAND.

01:18PM 8 SO IN FACT, YES, THERE ARE CASES WHERE YOU NEED TO DECIDE
01:18PM 9 AS AN ENGINEER IF IT MAKES SENSE TO ADD A NEW NODE INTO THE
01:18PM 10 HIERARCHY, IT'S NOT JUST A MATTER OF PICKING THE WORDS BUT
01:18PM 11 PICKING THE LOGICAL PLACE TO PLACE THE WORDS IN THE HIERARCHY
01:18PM 12 Q. SO THEN THE NEXT ONE DOWN, NUMBER SEVEN. FIRST SENTENCE
01:18PM 13 THERE IS DO NOT USE CODE NAMES IN COMMANDS; DO YOU SEE THAT?

01:18PM 14 A. YES.

01:18PM 15 Q. AND WHAT ARE YOU REFERRING TO THERE?

01:18PM 16 A. SOMETIMES WHEN DEVELOPING PRODUCTS AT CISCO, WE MAY HAVE
01:19PM 17 INTERNAL CODE NAMES FOR HARDWARE OR PROTOCOL.

01:19PM 18 AND BEFORE WE'VE DECIDED WHAT WE ARE GOING TO CALL THEM TO
01:19PM 19 THE PUBLIC, WE WOULD USE SOME OF THOSE INTERNAL CODE NAMES,
01:19PM 20 SOMETIMES THE CODE WOULD HAVE TO BE WRITTEN BEFORE THE PROPER
01:19PM 21 NAME WAS DECIDED. SO SOMETIMES THE CODE NAMES WOULD BE IN THE
01:19PM 22 USER INTERFACE.

01:19PM 23 AND THIS WAS A REMINDER TO ENGINEERS, IF YOU USED A CODE
01:19PM 24 NAME, GO BACK AND MAKE SURE IT'S CHANGED TO SOMETHING OTHER
01:19PM 25 THAN A CODE NAME BEFORE IT GETS TO CUSTOMERS.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:19PM 1 Q. SO NOW I WANT TO GO TO THE LAST ONE ON YOUR LIST, NUMBER
01:19PM 2 TEN. IT SAYS COMMAND SHOULD TEND TO BE SELF EXPLANATORY SO
01:19PM 3 THAT A RELATIVELY KNOWLEDGEABLE USER CAN FIGURE OUT THE COMMAND
01:19PM 4 FUNCTION FROM THE MANUALS -- NO, I SKIPPED A LINE, SORRY. THE
01:19PM 5 COMMAND FUNCTION FROM THE COMMAND AND ONLINE HELP WITHOUT
01:20PM 6 HAVING IT SCURRY OFF TO THE MANUALS; DO YOU SEE THAT?

01:20PM 7 A. RIGHT.

01:20PM 8 Q. CAN YOU TELL ME WHAT YOU MEANT THERE?

01:20PM 9 A. SO PART OF THIS IS ABOUT, YOU KNOW, CHOOSING THE HIERARCHY,
01:20PM 10 GROUPING STUFF TOGETHER, EXERCISING JUDGMENT AND CREATIVITY,
01:20PM 11 AND ARRANGING LIKE CONCEPTS TOGETHER.

01:20PM 12 SO THE IDEA IS THAT LOOKING AT A COMMAND, YOU SHOULD BE
01:20PM 13 ABLE TO, BASED ON YOUR KNOWLEDGE OF THE DESIGN AESTHETIC, THE
01:20PM 14 HIERARCHY AND THE TYPICAL SEQUENCE AND ORGANIZATION OF COMMANDS
01:20PM 15 USED BY CISCO, THAT THE CUSTOMER COULD LOOK AT THAT COMMAND AND
01:20PM 16 FIGURE OUT BASED ON THEIR EXPERIENCE IN USING COMMANDS LIKE IT,
01:20PM 17 WHAT THAT COMMAND SHOULD DO. IT'S A PRINCIPLE OF CONSISTENCY
01:20PM 18 AND USABILITY

01:20PM 19 Q. SO THEN I WANT TO LOOK AT THE NEXT SENTENCE THERE. IT
01:20PM 20 SAYS, WHAT CONSTITUTES SELF EXPLANATORY WILL VARY BY YOUR
01:20PM 21 TARGET AUDIENCE, SO BE PREPARED TO DEFEND THAT POINT; DO YOU
01:20PM 22 SEE THAT?

01:21PM 23 A. I DO.

01:21PM 24 Q. WHAT'S THAT REFERRING TO IN THE GUIDELINES?

01:21PM 25 A. SO THE IDEA IS THAT, AGAIN, WE WANT TO HAVE THE COMMAND

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:21PM 1

SELF EXPLANATORY.

01:21PM 2

SOMEBODY LOOKING AT A COMMAND LIKE FORWARD PEAK CELL RATE

01:21PM 3

CLP1 MIGHT SAY, I DON'T UNDERSTAND WHAT THAT MEANS. BUT

01:21PM 4

SOMEONE WHO IS FAMILIAR ABOUT ATM, THE ASYNCHRONOUS TRANSFER

01:21PM 5

PROTOCOL, WILL IMMEDIATELY KNOW WHAT THAT MEANS. THEY ARE THE

01:21PM 6

AUDIENCE.

01:21PM 7

SO THE COMMAND THERE IS COMPLETELY SELF EXPLANATORY TO

01:21PM 8

SOMEBODY FAMILIAR WITH ATM, BUT MAY NOT BE TO OTHER PEOPLE.

01:21PM 9

SO THE POINT WAS TO TELL PEOPLE TO CONSIDER THEIR AUDIENCE

01:21PM 10

IN MAKING THE COMMAND, AND ALSO TO OUR VIEWERS TO CONSIDER THE

01:21PM 11

AUDIENCE WHEN CRITIQUING A COMMAND.

01:21PM 12

Q. ARE THERE MULTIPLE POTENTIAL AUDIENCES FOR A GIVEN COMMAND?

01:21PM 13

A. THERE COULD BE MULTIPLE POTENTIAL AUDIENCES FOR A GIVEN

01:21PM 14

COMMAND.

01:21PM 15

Q. AND WHY IS THAT?

01:22PM 16

A. WE HAVE A BROAD RANGE OF USES AND FUNCTIONS OF THE CISCO

01:22PM 17

DEVICE. THERE ARE FUNCTIONS THAT ARE USED, DIFFERENT PROTOCOLS

01:22PM 18

AND DIFFERENT PHYSICAL INTERFACES.

01:22PM 19

THERE'S LOTS OF FEATURES, LOTS OF DIFFERENT KINDS OF

01:22PM 20

CUSTOMERS, LOTS OF WAYS THE PRODUCT IS USED, SO THESE THINGS

01:22PM 21

ALL HAVE TO BE CONSIDERED BY THE DESIGNER.

01:22PM 22

Q. NOW I WANT TO GO TO THE LAST SECTION WHICH IS THE LAST

01:22PM 23

SECTION THIS TIME, CHANGING SYNTAX.

01:22PM 24

A. YES.

01:22PM 25

Q. AND IN THAT FIRST SENTENCE IT SAYS CHANGING AN EXISTING

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:22PM 1 SYNTAX IS USUALLY A BAD IDEA; DO YOU SEE THAT?

01:22PM 2 A. YES.

01:22PM 3 Q. NOW YOU'VE TALKED SEVERAL TIMES NOW ABOUT THE NEED TO
01:22PM 4 MAINTAIN CONSISTENCY?

01:22PM 5 A. YES.

01:22PM 6 Q. DOES THIS HAVE ANYTHING TO DO WITH THAT?

01:22PM 7 A. YES, IF YOU CHANGE A COMMAND, THAT COULD BE SURPRISING TO
01:22PM 8 CUSTOMERS.

01:22PM 9 IF YOU SUDDENLY DECIDE THAT YOU WANT TO DO THINGS IN A
01:22PM 10 DIFFERENT WAY, CUSTOMERS WILL BE DISORIENTED, COMMANDS THEY ARE
01:23PM 11 USED TO MAY NOT WORK. THINGS THEY COMMITTED TO MUSCLE MEMORY
01:23PM 12 TO TYPING NO LONGER WORK THE WAY THEY ARE EXPECTING, AND THAT
01:23PM 13 COULD MAKE THEM UPSET.

01:23PM 14 Q. SO LET'S -- I JUST WANT TO BE CLEAR ON THIS POINT, WHEN YOU
01:23PM 15 ARE TALKING ABOUT CONSISTENCY, CONSISTENCY WITH RESPECT TO
01:23PM 16 WHAT?

01:23PM 17 A. CONSISTENCY WITH THE -- CONSISTENCY IN THE CISCO COMMAND
01:23PM 18 LINE AND USER INTERFACE.

01:23PM 19 Q. OKAY. SO YOU MEAN WHATEVER CISCO DECIDED TO DO BEFORE?

01:23PM 20 A. YES. THE USER INTERFACE BUILDS ON ITSELF. THE USER
01:23PM 21 INTERFACE IS A CONSTANTLY GROWING BODY OF WORK BASED ON THE
01:23PM 22 CODING AND EXPERIENCE THAT WE GET.

01:23PM 23 Q. NOW I WANT TO CHANGE GEARS A LITTLE BIT AND TALK ABOUT YOUR
01:23PM 24 PERSONAL EXPERIENCE IN AUTHORIZING COMMAND?

01:24PM 25 A. OKAY.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:26PM 1 A. THIS WAS AROUND 2002 OR 2003.

01:26PM 2 Q. SO PUT YOURSELF BACK THERE. CAN YOU JUST DESCRIBE FOR US
01:26PM 3 GENERALLY WHAT THE PROCESS WAS TO CREATE THIS COMMAND?

01:26PM 4 A. SO WE KNEW WE HAD TO GET THIS LIST OF INFORMATION WITH
01:26PM 5 SERIAL NUMBERS AND DESCRIPTIONS, AND WE HAD TO FIND A WAY TO
01:27PM 6 PRESENT THAT INFORMATION TO THE CUSTOMERS AND THE NATURAL PLACE
01:27PM 7 IN THE HIERARCHY TO DISPLAY INFORMATION WOULD BE THE SHOW
01:27PM 8 COMMAND.

01:27PM 9 Q. AND WHY WAS THAT?

01:27PM 10 A. THE SHOW COMMAND IS A COMMAND THAT TYPICALLY PROVIDES
01:27PM 11 INFORMATION TO THE END USER ABOUT INTERFACES, ABOUT THE
01:27PM 12 VERSION, ABOUT THE CONFIGURATION, SO IT SEEMED LIKE A NATURAL
01:27PM 13 PLACE TO PUT INFORMATION ABOUT THE COLLECTION OF HARDWARE TO BE
01:27PM 14 DISPLAYED.

01:27PM 15 Q. DID YOU IN CONNECTION WITH DEVELOPING THE COMMAND, DID YOU
01:27PM 16 EVER CONSIDER PUTTING IT IN A DIFFERENT HIERARCHY OR MAYBE
01:27PM 17 CREATING ITS OWN?

01:27PM 18 A. AT THE TIME WE DIDN'T. IN RETROSPECT, WE MIGHT HAVE MADE A
01:27PM 19 TOP-LEVEL COMMAND CALLED INVENTORY DEDICATED TO ALL TASKS
01:27PM 20 RELATED TO INVENTORY. BUT "SHOW" REALLY SEEMED LIKE THE
01:27PM 21 SENSIBLE PLACE TO PUT IT.

01:27PM 22 Q. OKAY. NOW, LET'S TALK ABOUT THE SELECTION OF INVENTORY AS
01:28PM 23 A TERM. WHERE DID THAT COME FROM?

01:28PM 24 A. WHEN YOU THINK ABOUT A COLLECTION OF HARDWARE WITH PART
01:28PM 25 NUMBERS AND SERIAL NUMBERS, IT'S KIND OF LIKE AN INVENTORY OF

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:28PM 1

THINGS.

01:28PM 2

Q. WHY DO YOU SAY THAT?

01:28PM 3

A. IT'S JUST, YOU'VE GOT PART NUMBERS AND SERIAL NUMBERS

01:28PM 4

COLLECTED TOGETHER AND IT'S AN IMPORTANT PART OF ASSET

01:28PM 5

MANAGEMENT TO KNOW WHAT YOUR HARDWARE PART NUMBERS ARE AND IT

01:28PM 6

WOULD BE PART OF TAKING INVENTORY TO KNOW THAT. SO IT WAS

01:28PM 7

JUST -- IT WAS A ---IT WAS A NAME WE SETTLED ON AFTER SOME

01:28PM 8

DEBATE.

01:28PM 9

Q. SO DID YOU CONSIDER ANY ALTERNATIVES TO INVENTORY WHEN YOU

01:28PM 10

WERE COMING UP WITH THIS COMMAND?

01:28PM 11

A. WE CONSIDERED A COUPLE OF DIFFERENT COMMANDS.

01:28PM 12

Q. AND IF WE SHOW SLIDE FIVE HERE, IN FACT WAS INVENTORY THE

01:28PM 13

FIRST WORD YOU CONSIDERED?

01:28PM 14

A. INVENTORY WAS NOT THE FIRST WORD WE CONSIDERED.

01:28PM 15

Q. AND WHY WAS THAT?

01:28PM 16

A. WE THOUGHT THERE WERE BETTER CHOICES THAT WE COULD HAVE

01:28PM 17

BESIDES INVENTORY.

01:28PM 18

Q. AND WHAT DO YOU MEAN BETTER CHOICES?

01:29PM 19

A. WE THOUGHT THAT THEY MIGHT BETTER DESCRIBE WHAT WAS GOING

01:29PM 20

ON.

01:29PM 21

Q. LIKE WHAT?

01:29PM 22

A. WELL, WE LOOKED AT SHOW SERIAL BECAUSE IT WAS SERIAL

01:29PM 23

NUMBERS AND THE SERIAL NUMBERS WERE VERY IMPORTANT, SO SHOW

01:29PM 24

SERIAL SEEMED LIKE A NATURAL THING TO DO.

01:29PM 25

Q. AND WHY DID YOU PICK THAT?

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:29PM 1 A. WE ALSO HAVE SERIAL COMMUNICATION INTERFACES ON THE DEVICE
01:29PM 2 AND WE THOUGHT IT MIGHT BE CONFUSING TO HAVE A SHOW COMMAND
01:29PM 3 THAT TALKS ABOUT SERIAL WHEN IN FACT WE HAVE SERIAL INTERFACES
01:29PM 4 SO WE DISCARDED THAT IDEA.

01:29PM 5 Q. WAS THERE ANYTHING ELSE THAT YOU RECALL?

01:29PM 6 A. WE THOUGHT SHOW HARDWARE BECAUSE IT'S AN INVENTORY OF THE
01:29PM 7 PHYSICAL HARD IN THE DEVICE.

01:29PM 8 Q. AND WHY DIDN'T YOU PICK THAT?

01:29PM 9 A. SHOW HARDWARE WAS ALREADY BEING USED TO DISPLAY VERSION
01:29PM 10 INFORMATION.

01:29PM 11 Q. WHAT DO YOU MEAN WHEN YOU SAY VERSION INFORMATION?

01:29PM 12 A. THE SOFTWARE VERSION, THE SOFTWARE VERSION. WHEN YOU --
01:29PM 13 THE WHICH COMMAND SHOW HARDWARE TELLS YOU ACTUALLY THE SOFTWARE
01:29PM 14 RUNNING ON THE HARDWARE. IT WAS A HISTORICAL CHOICE.

01:29PM 15 AGAIN, AND I DIDN'T MAKE THAT CHOICE, BUT THAT'S -- IT WAS
01:29PM 16 A COLLISION, SO WE COULDN'T DO IT.

01:30PM 17 Q. SO SHOW HARDWARE TELLS YOU ABOUT THE SOFTWARE?

01:30PM 18 A. SHOW HARDWARE TELLS YOU ABOUT THE SOFTWARE RUNNING ON THE
01:30PM 19 HARDWARE.

01:30PM 20 Q. GOT YA. DOES SOFTWARE RUN ANYWHERE ELSE?

01:30PM 21 A. I'VE NEVER SEEN THE SOFTWARE RUN ANYWHERE ELSE.

01:30PM 22 Q. OKAY. ALL RIGHT. SO ANYTHING ELSE YOU CONSIDERED WHEN YOU
01:30PM 23 WERE GOING THROUGH SHOW INVENTORY?

01:30PM 24 A. WELL, IT TURNS OUT THAT THE ELEMENTS OF THE INVENTORY WE
01:30PM 25 WERE DISPLAYING ARE DESCRIBED IN THE IDENTITY MIB, MANAGEMENT

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:30PM 1 INFORMATION BASE, WHICH IS A DOCUMENT FROM THE INTERNET

01:30PM 2 ENGINEERING TASK FORCE, IETF. SO WE THOUGHT BECAUSE THE

01:30PM 3 IDENTITY, THE IETF CALLED THIS CONCEPT IDENTITY, THAT MAYBE WE

01:30PM 4 COULD CALL IT SHOW IDENTITY.

01:30PM 5 Q. OKAY. SO I GOT TO BREAK THAT DOWN A BIT. YOU SAID IETF?

01:30PM 6 A. IETF.

01:30PM 7 Q. OKAY. SO I DID GET THAT RIGHT, WHAT IS THAT?

01:30PM 8 A. THE IETF, THE INTERNET ENGINEERING TASK FORCE IS A

01:31PM 9 STANDARDS BODY THAT PRODUCES THE DOCUMENTS FOR ALL OF THE

01:31PM 10 PROTOCOLS THAT RUN THE INTERNET.

01:31PM 11 Q. SO JUST SO WE DON'T HAVE ANY CONFUSION, IS THIS THE

01:31PM 12 STANDARDS BODY THAT TELLS YOU HOW TO MAKE COMMANDS IN A

01:31PM 13 COMMAND-LINE INTERFACE?

01:31PM 14 A. THAT IS NOT WHAT THE STANDARDS BODY IS DEDICATED TO, NO,

01:31PM 15 IT'S COMMUNICATIONS PROTOCOLS.

01:31PM 16 Q. ARE YOU AWARE OF ANY STANDARDS BODY THAT TELLS YOU HOW YOU

01:31PM 17 SHOULD, YOU KNOW, MAKE THE COMMANDS IN A COMMAND-LINE INTERFACE

01:31PM 18 FOR NETWORKING HARDWARE?

01:31PM 19 A. I'M NOT AWARE OF ANY STANDARDS BODY THAT DOES THAT.

01:31PM 20 Q. SO THEN BACK TO THE IETF, THAT STANDARDS BODY, REMIND ME

01:31PM 21 WHAT IT DOES?

01:31PM 22 A. THEY CREATE STANDARDS FOR COMMUNICATIONS PROTOCOLS.

01:31PM 23 Q. NOW THE PROTOCOL YOU TALKED ABOUT, I THINK YOU SAID

01:31PM 24 IDENTITY MIB?

01:31PM 25 A. MIB, MANAGEMENT INFORMATION BASE, YES.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:31PM 1 Q. OKAY. WHAT'S THAT?

01:31PM 2 A. IT'S PART OF A SYSTEM CALLED SNMP, SIMPLE NETWORK
01:32PM 3 MANAGEMENT PROTOCOL, AND IT'S A LIST OF ALL OF THE THINGS THAT
01:32PM 4 COULD BE SAID USING THE SIMPLE NETWORK MANAGEMENT PROTOCOL.

01:32PM 5 Q. SO WHY THEN DIDN'T YOU USE THE IDENTITY TERM?

01:32PM 6 A. IT TURNS OUT THAT THE CISCO DEVICE ALSO DOES A LOT OF
01:32PM 7 THINGS AROUND SECURITY, INCLUDING AUTHORIZATION, USER NAMES AND
01:32PM 8 PASSWORDS, AUTHENTICATION, WHAT PEOPLE ARE ALLOWED TO DO, AND
01:32PM 9 USUALLY THOSE SORTS OF THINGS ARE CONSIDERED IDENTITY BY THE
01:32PM 10 SECURITY COMMITTEE.

01:32PM 11 AND BECAUSE OUR DEVICE DOES A LOT OF THINGS WITH SECURITY,
01:32PM 12 WE THOUGHT WE DIDN'T WANT TO USE IDENTITY SO IT WOULD NOT BE
01:32PM 13 CONFUSED WITH THE SECURITY FUNCTIONS OF THE BOX, SO WE
01:32PM 14 DISCARDED THAT.

01:32PM 15 Q. SO ANYTHING ELSE THAT YOU RECALL CONSIDERING?

01:32PM 16 A. WELL, BECAUSE THEY WERE MODULES WE THOUGHT WE COULD SAY
01:32PM 17 SHOW MODULE, BUT SOME PLATFORMS HAD ALREADY USED THAT TO SHOW
01:32PM 18 OTHER TECHNICAL INFORMATION ABOUT THE MODULES.

01:32PM 19 WE THOUGHT CONTROLLERS, THESE ARE ELECTRONIC CONTROLLERS,
01:33PM 20 BUT THAT WAS ALSO USED BY SOME PLATFORMS TO USE OTHER
01:33PM 21 INFORMATION ABOUT HARDWARE. MAYBE EVEN SHOW DEVICES, BECAUSE
01:33PM 22 THESE ARE DEVICES INCLUDE THE IN THE BOX.

01:33PM 23 BUT WE ULTIMATELY THOUGHT AFTER SOME HOURS OF DEBATE,
01:33PM 24 PROBABLY 6 TO 8 HOURS WITH A GROUP OF 6 TO 8 OF US OVER A
01:33PM 25 COUPLE OF WEEKS, WE SETTLED ON INVENTORY.

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:33PM 1 Q. AND THE GROUP THAT YOU ARE TALKING ABOUT, WHAT GROUP IS
01:33PM 2 THAT?

01:33PM 3 A. THAT IS -- THAT WAS MYSELF AND MY FELLOW DESIGNER, SOLOMON
01:33PM 4 THE PEOPLE IN THE -- SOME FOLKS IN THE TECHNICAL SUPPORT GROUP
01:33PM 5 WHO WOULD HAVE TO SUPPORT THIS AND SOME FOLKS IN THE
01:33PM 6 DEVELOPMENT GROUP THAT WOULD BE DOING SOME OF THE CODING WORK.

01:33PM 7 Q. NOW I WANT TO CHANGE GEARS A LITTLE BIT AND IF WE GO TO
01:33PM 8 SLIDE SEVEN, I WANT TO TALK ABOUT THE SHOW INVENTORY OUTPUT,
01:33PM 9 OKAY?

01:33PM 10 A. YES.

01:33PM 11 Q. FIRST TELL US WHAT THE SHOW INVENTORY OUTPUT WOULD BE?

01:33PM 12 A. SO IN ADDITION TO WRITING THE SPECIFICATION FOR THE SHOW
01:34PM 13 INVENTORY COMMAND, WE ALSO WROTE THE SPECIFICATION FOR THE
01:34PM 14 OUTPUT AND WE WROTE THE HELP TEXT.

01:34PM 15 SO WHEN YOU TYPE THE COMMAND SHOW INVENTORY, IT PRODUCES
01:34PM 16 SOME TEXT OUTPUT SHOWING YOU THE INVENTORY OF THE BOX. AND WE
01:34PM 17 HAD TO DESIGN THAT.

01:34PM 18 Q. AND WHY IS THAT?

01:34PM 19 A. THAT'S JUST WHAT WE DO. THERE'S -- IT'S THE -- THE
01:34PM 20 INFORMATION THAT WE KNOW THAT WE NEED TO SHOW, THE DEVICE NAME,
01:34PM 21 THE PART NUMBER, THE VERSION NUMBER, THE SERIAL NUMBER, HAD TO
01:34PM 22 BE DISPLAYED TO THE CUSTOMER IN A WAY THAT WAS EASY TO READ,
01:34PM 23 EASY TO UNDERSTAND AND EASY TO PROCESS.

01:34PM 24 Q. SO DID YOU CREATE THE OUTPUT FOR THE SHOW INVENTORY
01:34PM 25 COMMAND?

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:34PM 1 A. OUR TEAM DEVELOPED THE OUTPUT FOR THE SHOW INVENTORY
01:34PM 2 COMMAND.

01:34PM 3 Q. AND DO YOU RECALL WHETHER THERE WERE RESTRICTIONS ON WHAT
01:34PM 4 THAT OUTPUT COULD BE?

01:34PM 5 A. THERE WERE NO RESTRICTIONS. WE HAD TOTAL FREEDOM IN HOW WE
01:35PM 6 MADE THE OUTPUT LOOK.

01:35PM 7 Q. SO HOW IS IT THAT YOU MADE THE DECISION ON WHAT THAT OUTPUT
01:35PM 8 SHOULD BE?

01:35PM 9 A. WE WENT THROUGH A COUPLE OF THINGS. WE WOULD HAVE LIKED TO
01:35PM 10 HAVE EACH PART TO FIT ON A SINGLE LINE, BUT WE THOUGHT THAT
01:35PM 11 WOULD BE HARD TO READ IF IT WENT OVER 80 COLUMNS, SO WE
01:35PM 12 ACTUALLY MADE EVERY ITEM APPEAR ON THE TWO LINES. WITH THE
01:35PM 13 FIRST LINE BEING THE NAME AND THE DEVICE AND THE DESCRIPTION
01:35PM 14 AND THE SECOND LINE BEING THE IMPORTANT INFORMATION, THE
01:35PM 15 VERSION AND THE SERIAL NUMBER.

01:35PM 16 THEN WE WOULD REPEAT THAT FOR EVERY DEVICE INCLUDED.

01:35PM 17 WE ALSO INCLUDED ALL OF THE TEXT IN QUOTES AND SEPARATED
01:35PM 18 THINGS WITH COLONS SO THAT IF PEOPLE WANTED TO PROCESS IT
01:35PM 19 AUTOMATICALLY WITH A PROGRAM OR A SCRIPT THEY WOULD EASILY BE
01:35PM 20 ABLE TO FIND THE EDGES OF EACH FIELD, THEY COULD SEPARATE EACH
01:35PM 21 INFORMATION FIELD EASILY.

01:35PM 22 Q. OKAY. SO YOU SAID SOMETHING THERE, PROCESS AUTOMATICALLY
01:36PM 23 WITH A SCRIPT?

01:36PM 24 A. YES.

01:36PM 25 Q. CAN YOU EXPLAIN TO US WHAT THAT IS?

DIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

01:38PM 1 Q. SO YOU SAID THAT WORD A FEW TIMES, AESTHETIC, CAN YOU
01:39PM 2 EXPLAIN TO US WHAT YOU MEAN IN THE CONTEXT OF CLI, THE
01:39PM 3 AESTHETIC?

01:39PM 4 A. THE AESTHETIC IS THE WAY THE CLI IS ORGANIZED, THE WAY YOU
01:39PM 5 EXPECT, IF YOU LOOK AT THE WAY THIS TABLE OF HELP IS ORGANIZED,
01:39PM 6 YOU KNOW, HAVING STUFF TABBED OUT, HAVING EVERYTHING FIT
01:39PM 7 CLEANLY ON THE SCREEN, HAVING THE HIERARCHY, HAVING THE HELP,
01:39PM 8 HAVING THIS ALL FEEL OF THE INTERFACE, THAT'S PART OF WHAT I
01:39PM 9 WOULD CONSIDER THE AESTHETIC.

01:39PM 10 Q. DOES THAT HAVING ANYTHING TO DO WITH THE CONSISTENCY THAT
01:39PM 11 YOU TALKED ABOUT EARLIER?

01:39PM 12 A. I DON'T THINK IT DOES DIRECTLY. CONSISTENCY IS PART OF THE
01:39PM 13 AESTHETIC, I SUPPOSE, BUT I DON'T KNOW HOW I WOULD LINK THEM.

01:39PM 14 Q. OKAY. NOW I WANT TO GO TO ANOTHER TOPIC.

01:39PM 15 SO WE TALKED ABOUT EARLIER, I THINK IT WAS BEFORE LUNCH.
01:39PM 16 YOU HAVE BEEN IN THE SERVICE DIVISION FOR ABOUT 20 YEARS OR SO;
01:39PM 17 IS THAT RIGHT?

01:39PM 18 A. IT WILL BE 25 YEARS IN JANUARY.

01:39PM 19 Q. OKAY. 25 YEARS. SO IN CONNECTION WITH YOUR WORK, HAVE YOU
01:40PM 20 GAINED AN UNDERSTANDING OF HOW CUSTOMERS USE THE CISCO CLI?

01:40PM 21 A. I HAVE.

01:40PM 22 Q. AND WHAT HAVE YOU LEARNED?

01:40PM 23 A. WELL, I'VE LEARNED THAT THEY LIKE IT. IT CAN BE DIFFICULT
01:40PM 24 TO USE, BUT THEY LIKE IT BECAUSE IT'S VERY COMPACT AND POWERFUL
01:40PM 25 AND PUTS A LOT OF THE FUNCTIONS AT THEIR FINGER TIPS TO DO

CROSS-EXAMINATION OF MR. REMAKER BY MR. FERRALL

01:59PM 1 THEM. THE GUIDELINES, AT LEAST IN THIS EXHIBIT, THEY BEGIN ON
01:59PM 2 THE BOTTOM OF THE SECOND PAGE, I BELIEVE.

01:59PM 3 AND LET ME JUST ASK YOU GENERALLY ABOUT THESE GUIDELINES,
01:59PM 4 BECAUSE I THINK WE WALKED THROUGH THEM PRETTY CLEARLY. THE
01:59PM 5 GUIDELINES WERE MEANT TO BE FOLLOWED, IF POSSIBLE, RIGHT?

01:59PM 6 A. YES.

01:59PM 7 Q. THE WHOLE IDEA WAS TO GIVE ENGINEERS AT CISCO GUIDELINES
01:59PM 8 FOR THEM TO FOLLOW WHEN THEY CAME UP WITH COMMANDS, RIGHT?

02:00PM 9 A. YES.

02:00PM 10 Q. LET'S LOOK AT THE SECTION OF THIS, SORRY, LET'S PUT 5175
02:00PM 11 BACK UP, PLEASE UNDER CHANGING SYNTAX, WHICH IS IN THE SECOND
02:00PM 12 TO LAST PAGE, THIS IS A LITTLE BIT HARD TO SEE, BUT IN THIS
02:00PM 13 PARAGRAPH, YOU WRITE THAT THERE ARE AT LEAST FOUR REASONS NOT
02:00PM 14 TO CHANGE THE SYNTAX OF A COMMAND, RIGHT?

02:00PM 15 A. YES.

02:01PM 16 Q. AND THE FIRST REASON YOU NOTE IS THAT CUSTOMERS ARE TRAINED
02:01PM 17 ON AND FAMILIAR WITH EXISTING SYNTAX. THAT'S YOUR FIRST
02:01PM 18 REASON, CORRECT?

02:01PM 19 A. YES.

02:01PM 20 Q. OKAY. AND THEN THE SECOND REASON TALKS ABOUT THE PROBLEM
02:01PM 21 WITH CHANGING SYNTAX COULD CAUSE CATASTROPHIC FAILURES, DO YOU
02:01PM 22 SEE THAT?

02:01PM 23 A. YES.

02:01PM 24 Q. AND IF YOU CHANGE SYNTAX AND THE CUSTOMER DOESN'T RECOGNIZE
02:01PM 25 OR KNOW THE COMMAND, IT CAN CAUSE A CATASTROPHIC FAILURE IN THE

CROSS-EXAMINATION OF MR. REMAKER BY MR. FERRALL

02:21PM 1

A. I RESPECT THEM.

02:21PM 2

Q. AND IF WE COULD LOOK AT 5157, PLEASE, OR YOU COULD. THIS

02:22PM 3

IS AN E-MAIL FROM YOU TO A FORMER CISCO EMPLOYEE, RIGHT?

02:22PM 4

A. YES.

02:22PM 5

MR. FERRALL: I WOULD LIKE TO OFFER 5157 INTO

02:22PM 6

EVIDENCE.

02:22PM 7

MR. NELSON: NO OBJECTION, YOUR HONOR.

02:22PM 8

THE COURT: IT WILL BE ADMITTED.

02:22PM 9

(WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 5157, HAVING BEEN

02:22PM 10

PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO

02:22PM 11

EVIDENCE.)

02:22PM 12

BY MR. FERRALL:

02:22PM 13

Q. THIS IS AN E-MAIL FROM YOU TO MR. MOOTHEDATH?

02:22PM 14

A. MOOTHEDATH.

02:22PM 15

Q. AND YOU HAD WORKED WITH HIM AT CISCO, RIGHT?

02:22PM 16

A. I WORKED WITH HIM IN THE BANGALORE OFFICE.

02:22PM 17

Q. AND HE HAD TOLD YOU IN THIS E-MAIL THREAD THAT HE WAS GOING

02:22PM 18

TO WORK FOR ARISTA, RIGHT?

02:22PM 19

A. YES.

02:22PM 20

Q. AND THERE'S NOTHING WRONG, OF COURSE, WITH MOVING FROM ONE

02:22PM 21

COMPANY TO ANOTHER, RIGHT?

02:22PM 22

A. YES.

02:22PM 23

Q. THIS E-MAIL, BY THE WAY, IS DATED NOVEMBER 18, 2014, RIGHT?

02:23PM 24

A. YES.

02:23PM 25

Q. AND YOU KNOW THAT THAT'S ONLY ABOUT TWO WEEKS BEFORE THIS

CROSS-EXAMINATION OF MR. REMAKER BY MR. FERRALL

02:23PM 1 LAWSUIT WAS FILED?

02:23PM 2 A. I DIDN'T KNOW AT THE TIME, BUT I KNOW NOW.

02:23PM 3 Q. YOU DIDN'T KNOW THE LAWSUIT WAS GOING TO BE FILED WHEN YOU

02:23PM 4 WROTE THIS E-MAIL, RIGHT?

02:23PM 5 A. THAT'S RIGHT.

02:23PM 6 Q. OKAY. AND YOU WRITE, ARISTA IS TRULY AN AMAZING COMPANY

02:23PM 7 WITH SOME AMAZING PEOPLE, RIGHT?

02:23PM 8 A. YES.

02:23PM 9 Q. AND IN THE SECOND PARAGRAPH YOU SAY, I ACTUALLY MET ANDY B.

02:23PM 10 FOR THE FIRST TIME LAST WEEK. WHO IS ANDY B.?

02:23PM 11 A. THAT WOULD BE ANDY BECHTOLSHEIM.

02:23PM 12 Q. AND YOU DESCRIBE HIM AS A GENTLE GIANT AND A GENIUS?

02:23PM 13 A. YES.

02:23PM 14 Q. AND CISCO SHOULD FEAR WHENEVER HE TREADS NEARBY, YOU WROTE,

02:23PM 15 RIGHT?

02:23PM 16 A. YES.

02:23PM 17 Q. AND YOU'RE RECOUNTING YOUR CONVERSATION WITH

02:23PM 18 MR. BECHTOLSHEIM, RIGHT?

02:24PM 19 A. THE --

02:24PM 20 Q. THE NEXT SENTENCE?

02:24PM 21 A. OH, THE NEXT SENTENCE, YES.

02:24PM 22 Q. AND BECAUSE IN THAT CONVERSATION YOU JOKED WITH HIM ABOUT

02:24PM 23 IT, BUT HE SAID THAT HE HAD NOTHING BUT THE UTMOST RESPECT FOR

02:24PM 24 CISCO?

02:24PM 25 A. THAT'S RIGHT.

REDIRECT EXAMINATION OF MR. REMAKER BY MR. NELSON

02:28PM 1 Q. WHERE DID THAT COME FROM?

02:28PM 2 A. THE SHOW HARDWARE OR THE CONSTRAINT, I'M SORRY?

02:28PM 3 Q. WELL BOTH, LET'S SAY SHOW HARDWARE FIRST, EXPLAIN TO US,
02:28PM 4 REMIND US WHAT THAT IS?

02:28PM 5 A. AGAIN, THE INDIVIDUAL ENGINEERS BEFORE US HAVE HAD THE
02:28PM 6 OPPORTUNITY TO EXERCISE THEIR PROFESSIONAL JUDGMENT AND THEIR
02:28PM 7 EXPERIENCE AND THEIR CAPABILITY AND THEIR DISCUSSION WITH
02:28PM 8 OTHERS AND THEIR TEAMS TO COME UP WITH THE WORDS. IF THE
02:28PM 9 COMMAND ALREADY EXISTED, WE COULDN'T REPLICATE IT.

02:28PM 10 IN THAT CASE SHOW HARDWARE ALREADY EXISTED. SO WE COULDN'T
02:28PM 11 MAKE ANOTHER COMMAND CALLED SHOW HARDWARE.

02:29PM 12 AND, YOU KNOW, WE WOULD -- THAT WOULD HAVE TO BE CONSISTENT
02:29PM 13 WITH OUR PREVIOUS VERSION OF THE SOFTWARE. EACH VERSION OF
02:29PM 14 SOFTWARE BUILDS ON THE PREVIOUS VERSION.

02:29PM 15 Q. SO THEN WHEN YOU WERE SAYING THERE WAS A CONSTRAINT, WHERE
02:29PM 16 DID THAT COME FROM?

02:29PM 17 A. THE CONSTRAINT CAME FROM THE EXISTING CODE, THE EXISTING --
02:29PM 18 THE CONSTRAINT IS NOT BY PROCESS OR NOT -- THE CONSTRAINT IS
02:29PM 19 BECAUSE WE HAVE TO BE CONSISTENT WITH STUFF WE'VE DONE BEFORE.
02:29PM 20 WE HAVE TO -- WE CAN'T SUDDENLY CHANGE WHAT A COMMAND MEANS FOR
02:29PM 21 NO REASON.

02:29PM 22 Q. OKAY. NOW, YOU WERE ASKED SOME QUESTIONS ABOUT INDUSTRY
02:29PM 23 STANDARD AND DE FACTO INDUSTRY STANDARD; DO YOU RECALL THOSE?

02:29PM 24 A. I DO.

02:29PM 25 Q. OKAY. AND HAVE YOU EVER HEARD ANYONE IN CISCO -- WELL,

DIRECT EXAMINATION OF MR. SLATTERY BY MR. PAK

03:16PM 1 MR. KWUN: OBJECTION, YOUR HONOR. HEARSAY.

03:17PM 2 THE COURT: I WILL LET HIM ANSWER THIS QUESTION AND
03:17PM 3 SEE WHERE IT GOES NEXT. THIS IS A YES OR NO.

03:17PM 4 MR. PAK: YES OR NO.

03:17PM 5 THE WITNESS: PLEASE ASK THE QUESTION AGAIN.

03:17PM 6 BY MR. PAK:

03:17PM 7 Q. LET ME PHRASE IT THIS WAY, YOUR HONOR.

03:17PM 8 AS ONE OF THE TEAM MEMBERS WHO WORKED ON THE INTERACTIVE
03:17PM 9 HELP DESCRIPTION AND AUTHORED THE HELP DESCRIPTION TEXT, HOW DO
03:17PM 10 YOU THINK THAT IMPROVED THE USER EXPERIENCE, FROM YOUR
03:17PM 11 PERSPECTIVE?

03:17PM 12 A. IT CERTAINLY HAS HELPED ME A LOT, BECAUSE I DON'T HAVE TO
03:17PM 13 MEMORIZE THE HUNDREDS AND HUNDREDS OF COMMANDS THAT EXIST IN
03:17PM 14 THE INTERFACE.

03:17PM 15 Q. AND CISCO HAS LOTS OF PRODUCTS, ISN'T THAT RIGHT?

03:17PM 16 A. THEY HAVE LOT OF PRODUCTS.

03:17PM 17 Q. SO THEY HAVE LOTS OF COMMANDS IN THEIR IOS AND OPERATING
03:17PM 18 SYSTEMS?

03:17PM 19 A. AND MANY OF THESE COMMANDS ARE CHALLENGING TO REMEMBER ALL
03:17PM 20 THE PARAMETERS THAT GET INPUT.

03:17PM 21 Q. I WANT TO SWITCH GEARS A LITTLE BIT AND TALK ABOUT
03:17PM 22 SOMETHING THAT WE MIGHT HAVE SEEN IN THIS CASE CALLED CCIE.
03:17PM 23 ARE YOU FAMILIAR WITH THAT ACRONYM?

03:17PM 24 A. YES, I AM.

03:18PM 25 Q. WHAT DOES CCIE STAND FOR?

DIRECT EXAMINATION OF MR. SLATTERY BY MR. PAK

03:18PM 1 A. CCIE IS THE CISCO CERTIFIED INTERNET WORK EXPERT, AND IT'S
03:18PM 2 A PROGRAM THAT CISCO PUT TOGETHER TO IDENTIFY INDIVIDUALS WHO
03:18PM 3 ARE EXPERTS USING CISCO EQUIPMENT.

03:18PM 4 Q. AND ARE YOU CERTIFIED PERSONALLY AS A CCIE EXPERT?

03:18PM 5 A. YES, I AM.

03:18PM 6 Q. OKAY. AND WHEN DID YOU GET THAT CERTIFICATION?

03:18PM 7 A. 1993.

03:18PM 8 Q. AND DO YOU KNOW HOW MANY OTHER PEOPLE IN THE WORLD HAD
03:18PM 9 TAKEN AND GOTTEN A CCIE CERTIFICATION BEFORE YOU?

03:18PM 10 A. THE LAST TIME I CHECKED, THE NUMBER WAS OVER 40,000.

03:18PM 11 Q. I'M TALKING ABOUT THE PEOPLE BEFORE YOU?

03:18PM 12 A. OH, BEFORE ME, I'M SORRY.

03:18PM 13 Q. YES. SO WHAT YOU WERE TALKING ABOUT WAS 40,000 AFTER --

03:18PM 14 A. TOTAL, YES. THAT WAS THE LAST TIME I CHECKED. THERE WAS
03:18PM 15 ONLY ONE IN FRONT OF ME, AND IT TURNS OUT THAT PERSON WAS
03:18PM 16 STEWART BIGS, HE PUT THE TEST TOGETHER, AND I'M THE FIRST
03:18PM 17 PERSON TO ACTUALLY GO AND TAKE THE TEST.

03:18PM 18 SO IN A WAY OF SAYING, I'M THE SECOND CCIE FROM SOME
03:18PM 19 PERSPECTIVES, AND I'M THE FIRST FROM A DIFFERENT PERSPECTIVE.

03:19PM 20 Q. AND GENERALLY SPEAKING DOES CCIE TRAINING INVOLVE TRAINING
03:19PM 21 ON BASIC NETWORK PROTOCOLS AND CONCEPTS AND SO ON AS WELL AS
03:19PM 22 SPECIFIC TRAINING ON THE CLI?

03:19PM 23 A. YES, IT DOES.

03:19PM 24 Q. OKAY. AND YOU MENTIONED THAT YOU GOT THE CCIE
03:19PM 25 CERTIFICATION IN 1993. HAVE YOU REMAINED CCIE CERTIFIED SINCE

DIRECT EXAMINATION OF MR. SLATTERY BY MR. PAK

03:19PM 1

THEN?

03:19PM 2

A. YES, I AM.

03:19PM 3

Q. OKAY. AND I THINK YOU MENTIONED THIS, BUT TO YOUR

03:19PM 4

KNOWLEDGE THERE ARE AROUND 40,000 OR MORE THAN 40,000 CCIE'S

03:19PM 5

AROUND THE WORLD?

03:19PM 6

A. YES.

03:19PM 7

Q. IN YOUR COURSE -- IN THE COURSE OF YOUR WORK AS A NETWORK

03:19PM 8

ENGINEER, HAVE YOU BECOME FAMILIAR WITH USER INTERFACES OTHER

03:19PM 9

THAN CISCO'S FOR NETWORKING EQUIPMENT?

03:19PM 10

A. YES.

03:19PM 11

Q. AND WHICH ONES IN PARTICULAR?

03:19PM 12

A. I'VE SEEN THE JUNIPER INTERFACE, F5, PALO ALTO, THOSE ARE

03:19PM 13

THE ONES THAT COME TO MIND OFF HAND.

03:19PM 14

Q. AND AS PART OF YOUR WORK AS A NETWORKING CONSULTANT, WHEN

03:20PM 15

YOU LOOK AT THE JUNIPER USER INTERFACE, WHAT TYPE OF OPERATING

03:20PM 16

SYSTEM IS THAT, THAT JUNIPER RUNS, DO YOU KNOW?

03:20PM 17

MR. KWUN: OBJECTION, YOUR HONOR.

03:20PM 18

THIS IS EXPERT TESTIMONY.

03:20PM 19

MR. PAK: THIS IS BASED ON HIS PERSONAL EXPERIENCE,

03:20PM 20

YOUR HONOR.

03:20PM 21

THE COURT: WE ARE JUST TALKING AT A HIGH LEVEL?

03:20PM 22

MR. PAK: YES.

03:20PM 23

THE COURT: I WILL ALLOW THAT AT A HIGH LEVEL.

03:20PM 24

OVERRULED.

03:20PM 25

THE WITNESS: I THINK THEY CALL THEIR SYSTEM JUNOS.

REDIRECT EXAMINATION OF MR. SLATTERY BY MR. PAK

03:37PM 1 Q. AND WHEN YOU SAID IT, THAT YOU BELIEVED IT?

03:37PM 2 A. YES.

03:37PM 3 Q. AND YOU BELIEVE IT TODAY?

03:37PM 4 A. UH-HUH.

03:38PM 5 MR. KWUN: NO FURTHER QUESTIONS, YOUR HONOR.

03:38PM 6 THE COURT: REDIRECT FOR THIS WITNESS, MR. PAK?

03:38PM 7 MR. PAK: JUST QUICK FOLLOW UP.

03:38PM 8 THE COURT: OKAY.

03:38PM 9

03:38PM 10 **REDIRECT EXAMINATION BY MR. PAK**

03:38PM 11

03:38PM 12 BY MR. PAK:

03:38PM 13 Q. SO LET ME MAKE IT CLEAR, YOU WOULDN'T START A COMPANY THAT
03:38PM 14 WOULD USE CISCO'S USER INTERFACE WITHOUT GETTING A LICENSE FROM
03:38PM 15 CISCO, RIGHT?

03:38PM 16 A. THAT IS CORRECT.

03:38PM 17 Q. OKAY. AND WHEN YOU TALK ABOUT EMULATION, MR. KWUN SHOWED
03:38PM 18 YOU SOME OF THOSE SAME DOCUMENTS WE TALKED ABOUT, WERE YOU
03:38PM 19 SAYING, SIR, THAT EMULATING MEANS COPYING THE COMMAND ELEMENTS
03:38PM 20 FROM CISCO'S USER INTERFACE?

03:38PM 21 A. NO.

03:38PM 22 Q. AND YOU TALKED ABOUT MULTI VENDOR NETWORKS IN YOUR
03:38PM 23 TESTIMONY; DO YOU RECALL THAT?

03:38PM 24 A. YES.

03:38PM 25 Q. SO IF YOU WERE TO BE WORKING WITH MULTIPLE EQUIPMENT THAT

REDIRECT EXAMINATION OF MR. SLATTERY BY MR. PAK

03:38PM 1 HAD DIFFERENT USER INTERFACES, HOW WOULD YOU LEARN HOW TO WORK
03:38PM 2 WITH DIFFERENT USER INTERFACES THAT DID NOT LOOK ALIKE, FOR
03:38PM 3 NETWORKING EQUIPMENT, WHAT WOULD YOU HAVE TO DO?

03:38PM 4 A. WELL, I WOULD FIRST START BY READING THE MANUAL. MAYBE I'M
03:38PM 5 OLD SCHOOL, BUT I START WITH READING THE MANUAL. I ALSO HAVE
03:39PM 6 RELIED HEAVILY ON MY BACKGROUND OF LEARNING HOW THE NETWORK
03:39PM 7 PROTOCOLS WORK.

03:39PM 8 AND HAVING THAT UNDERSTANDING, I CAN TAKE THAT
03:39PM 9 UNDERSTANDING OF HOW THE NETWORK PROTOCOLS WORK AND I CAN THEN
03:39PM 10 MAP THAT INTO WHAT THE COMMANDS ARE THAT THE EQUIPMENT USES.

03:39PM 11 AND I LEARN THOSE COMMANDS FROM THAT WAY FIRST BY READING
03:39PM 12 THROUGH THEIR MANUAL, THE DOCUMENTATION. AND THAT GIVES ME A
03:39PM 13 SENSE OVERALL FOR HOW THE SYSTEM IS CONFIGURED. THEN I CAN
03:39PM 14 START PICKING UP SPECIFIC CONFIGURATION COMMANDS TO PERFORM THE
03:39PM 15 FUNCTIONS THAT I NEED TO PERFORM ON THE NETWORK.

03:39PM 16 Q. BASED ON YOUR EXPERIENCE AS A NETWORK CONSULTANT AND ALL
03:39PM 17 THE WORK THAT YOU HAVE DONE FOR VARIOUS COMPANIES, IS IT A
03:39PM 18 REQUIREMENT FOR A MULTI VENDOR NETWORK TO HAVE EACH VENDOR'S
03:39PM 19 EQUIPMENT HAVE VIRTUALLY THE SAME USER INTERFACE?

03:39PM 20 A. NO, IT IS NOT.

03:39PM 21 MR. KWUN: OBJECTION, YOUR HONOR. EXPERT TESTIMONY.

03:39PM 22 MR. PAK: BASED ON HIS EXPERIENCE, YOUR HONOR.

03:39PM 23 THE COURT: OVERRULED.

03:39PM 24 MR. PAK: THAT'S ALL I HAVE, YOUR HONOR.

03:39PM 25 THE COURT: THANK YOU.

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:03PM 1 A. THAT'S RIGHT.

04:03PM 2 Q. NOW, MOVING FORWARD, ARISTA MAKES PRODUCTS FOR WHAT IT

04:03PM 3 CALLS HIGH SPEED ETHERNET SWITCHES; IS THAT RIGHT?

04:03PM 4 A. COULD YOU REPEAT THE QUESTION, PLEASE.

04:03PM 5 Q. SURE.

04:03PM 6 ARISTA MAKES PRODUCTS FOR WHAT'S CALLED HIGH SPEED ETHERNET

04:04PM 7 DATA CENTER SWITCHING; IS THAT TRUE?

04:04PM 8 A. WE MAKE HIGH SPEED DATA CENTER ETHERNET SWITCHES.

04:04PM 9 Q. IS THAT YOUR PRIMARY MARKET?

04:04PM 10 A. YES.

04:04PM 11 Q. OKAY. BESIDES SWITCHES, DO YOU MAKE ANY OTHER TYPE OF

04:04PM 12 PRODUCTS?

04:04PM 13 A. YES, WE DO.

04:04PM 14 Q. AND TYPE OF PRODUCTS DO YOU MAKE?

04:04PM 15 A. WE MAKE SOME NETWORK MANAGEMENT SOFTWARE CALLED CLOUD

04:04PM 16 VISION.

04:04PM 17 Q. THAT SITS ON TOP OF THE ETHERNET SWITCHES, CORRECT?

04:04PM 18 A. I'M NOT SURE WHAT YOU MEAN BY "SITS ON TOP OF," BUT CLOUD

04:04PM 19 VISION RUNS INDEPENDENTLY OF THE SWITCHES THEMSELVES.

04:04PM 20 Q. IN TERMS OF SPECIFIC ROUTING OR NETWORKING PRODUCTS, YOU

04:04PM 21 GUYS MAKE ETHERNET SWITCHES; IS THAT TRUE?

04:04PM 22 A. WE DO.

04:04PM 23 Q. OKAY. AND ARISTA MAKES UP AROUND 12 PERCENT OF THE HIGH

04:04PM 24 SPEED ETHERNET DATA CENTER SWITCHING MARKET; DOES THAT SOUND

04:04PM 25 RIGHT TO YOU?

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:04PM 1 A. THAT SOUND SOUNDS ABOUT RIGHT.

04:04PM 2 Q. AND CISCO'S MARKET SHARE OF THAT MARKET IS AROUND

04:04PM 3 66 PERCENT; IS THAT RIGHT?

04:05PM 4 A. THAT IS SOUNDS CLOSE, BUT I ACTUALLY DON'T KNOW FOR SURE.

04:05PM 5 Q. DOES THAT SOUND RIGHT TO YOU?

04:05PM 6 A. IT SOUNDS CLOSE, BUT I ACTUALLY DON'T KNOW FOR SURE.

04:05PM 7 Q. OKAY. WELL, LET'S PLAY YOUR DEPOSITION. OR MAYBE THIS

04:05PM 8 TIME YOU CAN JUST TAKE A LOOK AT YOUR DEPOSITION TESTIMONY ON

04:05PM 9 PAGE 161, LINE 19 TO LINE 22.

04:05PM 10 A. I SEE IT.

04:05PM 11 Q. OKAY. DOES THAT REFRESH YOUR RECOLLECTION?

04:05PM 12 A. NO.

04:05PM 13 Q. OKAY. THEN LET'S HAVE THAT PLAYED FOR THE AUDIENCE.

04:05PM 14 MR. PAK: YOUR HONOR, MAY I PLAY THAT CLIP?

04:05PM 15 THE COURT: SURE.

04:05PM 16 (WHEREUPON, A VIDEO DEPOSITION WAS PLAYED IN OPEN COURT.)

04:05PM 17 BY MR. PAK:

04:05PM 18 Q. THAT WAS THE SWORN TESTIMONY YOU GAVE UNDER OATH, CORRECT?

04:06PM 19 A. YES, THAT'S RIGHT.

04:06PM 20 Q. AND IN THE MARKETS THAT YOU COMPETE WITH CISCO,

04:06PM 21 PARTICULARLY THE DATA CENTER MARKET, ARISTA HAS GAINED MARKET

04:06PM 22 SHARE AND CISCO HAS LOST MARKET SHARE IN THE SAME MARKET, IS

04:06PM 23 THAT TRUE?

04:06PM 24 A. I BELIEVE THAT'S RIGHT.

04:06PM 25 Q. SOME OF YOUR MAJOR OR TOP CUSTOMERS AT ARISTA WERE FORMER

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:11PM 1 THAT WERE COPIED FROM CISCO INTO ARISTA'S PRODUCTS; YOU

04:11PM 2 UNDERSTAND THAT, CORRECT?

04:11PM 3 A. SORRY, I DON'T QUITE KNOW WHAT YOU MEAN.

04:12PM 4 Q. YOU UNDERSTAND THAT ARISTA COPIED SOME OF THE COMMANDS AT

04:12PM 5 ISSUE IN THIS CASE FROM CISCO; YOU UNDERSTAND THAT, CORRECT?

04:12PM 6 A. OUR COMMAND INTERPRETER RECOGNIZES MANY OF THE SAME

04:12PM 7 COMMANDS, THAT'S RIGHT.

04:12PM 8 Q. ARE YOU DENYING, SIR, THAT ARISTA COPIED CISCO'S CLI

04:12PM 9 COMMANDS FROM CISCO SOURCES; ARE YOU DENYING THAT?

04:12PM 10 A. COPIED FROM?

04:12PM 11 Q. CISCO SOURCES?

04:12PM 12 A. NO, I'M NOT.

04:12PM 13 Q. YOU ARE NOT DENYING THAT, RIGHT?

04:12PM 14 A. NO.

04:12PM 15 Q. SO CISCO COPIED CLI COMMANDS AND SOME OUTPUTS FROM CISCO

04:12PM 16 SOURCES INTO ARISTA PRODUCTS, CORRECT?

04:12PM 17 A. WE DIDN'T COPY CISCO OUTPUTS INTO OUR CODE, NO, I DON'T

04:12PM 18 THINK THAT'S ACCURATE.

04:12PM 19 Q. LET ME FOCUS ON THE COMMANDS, WE WILL GET TO THE OUTPUTS

04:12PM 20 LATER.

04:12PM 21 ISN'T IT TRUE, SIR, THAT ARISTA COPIED SOME OF CISCO'S CLI

04:12PM 22 COMMANDS FROM CISCO SOURCES AND PUT IT INTO ARISTA'S PRODUCTS?

04:12PM 23 A. YES, THAT'S RIGHT.

04:12PM 24 Q. THAT'S RIGHT.

04:12PM 25 BUT NO ONE ELSE AT ARISTA HAS BEEN REPRIMANDED OR ASKED TO

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:13PM 1 LEAVE FOR THAT COPYING, CORRECT?

04:13PM 2 A. WE DON'T BELIEVE IT WAS WRONG.

04:13PM 3 Q. AND AGAIN, YOU DIDN'T RECEIVE ANY TRAINING ON INTELLECTUAL
04:13PM 4 PROPERTY PRIOR TO THIS LAWSUIT, CORRECT?

04:13PM 5 A. NO.

04:13PM 6 Q. OKAY.

04:13PM 7 AND YOU ADMIT, SIR, THAT IT'S NOT A COINCIDENCE THAT ARISTA
04:13PM 8 HAS SO MANY CLI COMMANDS THAT WERE TAKEN FROM CISCO'S
04:13PM 9 INTERFACE, THAT'S NOT A COINCIDENCE, IS IT, SIR?

04:13PM 10 A. NO, IT'S NOT.

04:13PM 11 Q. OKAY. IN FACT, YOU SAID ARISTA SLAVISHLY COPIED THE CISCO
04:13PM 12 CLI COMMANDS; ISN'T THAT TRUE? SIR?

04:13PM 13 A. NO, I DIDN'T SAY THAT.

04:13PM 14 Q. LET'S TAKE A LOOK AT PAGE 47 OF YOUR DEPOSITION, LINE 19
04:13PM 15 THROUGH 23.

04:14PM 16 MR. PAK: AND YOUR HONOR, MAY I PLAY THE VIDEO CLIP?

04:14PM 17 THE COURT: YES.

04:14PM 18 (WHEREUPON, A VIDEO DEPOSITION WAS PLAYED IN OPEN COURT.)

04:14PM 19 Q. THAT WAS YOUR SWORN TESTIMONY, SIR, RIGHT?

04:14PM 20 A. YES, BUT I WASN'T ACTUALLY TALKING ABOUT THE CISCO CLI IN
04:14PM 21 THE CASE.

04:14PM 22 Q. THAT WAS YOUR SWORN TESTIMONY, WASN'T IT, SIR?

04:14PM 23 A. IT IS.

04:14PM 24 Q. OKAY. AND DESPITE ALL THIS COPYING, NOBODY AT ARISTA EVER
04:14PM 25 APPROACHED CISCO FOR A LICENSE TO USE ANY OF CISCO'S CLI

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:38PM 1 PAGE 300, LINE 10 TO 15. AND IF I COULD PLAY THE VIDEO
04:38PM 2 TESTIMONY.

04:38PM 3 THE COURT: YES, YOU MAY.

04:38PM 4 MR. PAK: OKAY, LET'S GO AHEAD AND PLAY THAT.

04:38PM 5 (WHEREUPON, A VIDEO DEPOSITION WAS PLAYED IN OPEN COURT.)

04:38PM 6 BY MR. PAK:

04:38PM 7 Q. THAT WAS YOUR SWORN TESTIMONY, RIGHT, SIR?

04:38PM 8 A. YES.

04:38PM 9 Q. AND ISN'T IT ALSO TRUE THAT ARISTA REPLICATED SOME OF THE
04:38PM 10 SCREEN OUTPUTS FROM CISCO'S PRODUCTS THAT ARE INVOKED BY THE
04:38PM 11 USE OF CERTAIN CLI COMMANDS?

04:39PM 12 A. YES.

04:39PM 13 Q. AND THAT WAS DONE INTENTIONALLY BY ARISTA, CORRECT?

04:39PM 14 A. THAT'S RIGHT.

04:39PM 15 Q. AND WHEN YOU MADE THOSE DECISIONS, AGAIN, YOU NEVER
04:39PM 16 CONTACTED CISCO ABOUT A LICENSE TO USE THE SCREEN OUTPUTS,
04:39PM 17 CORRECT?

04:39PM 18 A. NO.

04:39PM 19 Q. AND ISN'T IT TRUE, SIR, THAT AS A TECHNICAL MATTER, ARISTA
04:39PM 20 COULD HAVE USED A DIFFERENT USER INTERFACE THAN CISCO'S USER
04:39PM 21 INTERFACE IN ORDER TO PROVIDE THE SAME NETWORKING FUNCTIONALITY
04:39PM 22 IN ARISTA'S PRODUCTS?

04:39PM 23 A. CERTAINLY, THAT'S TECHNICALLY POSSIBLE.

04:39PM 24 Q. YOU COULD HAVE USED A GRAPHICAL USER INTERFACE, CORRECT?

04:39PM 25 A. THAT'S POSSIBLE, BUT I THINK THAT WOULD BE A VERY POOR

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:39PM 1 CHOICE GIVEN OUR TARGET MARKET OF GOING AFTER THE CLOUD
04:39PM 2 CUSTOMERS, WOULD NOT PEAK WELL TO A GRAPHICAL USER INTERFACE
04:39PM 3 BECAUSE THEY ARE DIFFICULT TO AUTOMATE.
04:39PM 4 Q. SO CLOUD CUSTOMERS, IN YOUR OPINION, ACTUALLY VALUE AND
04:39PM 5 PREFER THE CLI COMMANDS FROM CISCO; IS THAT TRUE?
04:39PM 6 A. NO. IN FACT, OUR CLOUD CUSTOMERS GENERALLY DON'T CARE VERY
04:40PM 7 MUCH WHAT THE DETAILS OF THE COMMANDS ARE BECAUSE THEY'VE
04:40PM 8 AUTOMATED TO THE POINT WHERE IF ONE SWITCH AND ANOTHER SWITCH
04:40PM 9 HAVE DIFFERENT COMMANDS SYNTAXES, THEY CHANGE THEIR AUTOMATION
04:40PM 10 FRAMEWORK IN ONE PLACE AND THEY ARE DONE WITH IT.
04:40PM 11 Q. SO YOU COULD HAVE USED ANY CLI COMMANDS OTHER THAN THOSE
04:40PM 12 USED BY CISCO TO SELL YOUR PRODUCTS TO THOSE CUSTOMERS; ISN'T
04:40PM 13 THAT TRUE?
04:40PM 14 A. I THINK THE CLOUD CUSTOMERS WOULD NOT CARE VERY MUCH WHAT
04:40PM 15 COMMAND SYNTAX WE USE.
04:40PM 16 Q. SO YOU COULD HAVE SOLD ARISTA SWITCHES TO CLOUD COMPUTER
04:40PM 17 CUSTOMERS WITHOUT USING ANY OF THE CLI COMMANDS FROM CISCO, IS
04:40PM 18 THAT TRUE?
04:40PM 19 A. I THINK THAT'S PROBABLY TRUE.
04:40PM 20 Q. AND YOU HAVE ALSO ADMITTED, SIR, THAT YOU COULD TAKE OUT
04:40PM 21 ALL OF THE CLI COMMANDS FROM CISCO AND STILL BE ABLE TO PRODUCE
04:40PM 22 A WORKING PRODUCT; ISN'T THAT TRUE?
04:40PM 23 A. WE HAVE TO REPLACE THEM WITH SOMETHING, IF YOU SIMPLY
04:40PM 24 REMOVE THEM AND DIDN'T REPLACE THEM WITH SOMETHING TO PROVIDE A
04:40PM 25 COMFORTABLE FUNCTIONALITY, THE SYSTEM WOULD NO LONGER BE

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:40PM 1

CONFIGUREABLE.

04:41PM 2

Q. WELL, YOU COULD REPLACE THEM WITH YOUR COMMANDS. YOU COULD

04:41PM 3

REPLACE THEM THE CISCO COMMAND WITH ARISTA'S OWN COMMANDS AND

04:41PM 4

YOUR PRODUCTS WOULD WORK JUST FINE; ISN'T THAT TRUE?

04:41PM 5

A. IT'S A LITTLE HYPOTHETICAL. I THINK WE WOULD HAVE TO COME

04:41PM 6

UP WITH AN ALTERNATIVE COMMAND LANGUAGE, BUT IT'S CERTAINLY

04:41PM 7

TECHNICALLY ACHIEVABLE.

04:41PM 8

Q. YOU CAN CERTAINLY REMOVE COMMANDS FROM YOUR PRODUCTS THAT

04:41PM 9

OVERLAP WITH CISCO'S CLI USER INTERFACE COMMANDS AS A TECHNICAL

04:41PM 10

MATTER; ISN'T THAT TRUE, SIR?

04:41PM 11

A. YES, YOU COULD REMOVE COMMANDS.

04:41PM 12

Q. AND IN FACT, YOU ACTUALLY HAVE AN INTERFACE CALLED

04:41PM 13

LINUX-INTERFACE THAT DOES NOT USE THE CISCO CLI COMMANDS; ISN'T

04:41PM 14

THAT TRUE?

04:41PM 15

A. THAT'S RIGHT.

04:41PM 16

Q. THAT'S CORRECT, RIGHT?

04:41PM 17

A. YES.

04:41PM 18

Q. AND YOU'VE SAID THAT YOU DON'T HAVE TO USE THE CLI IF YOU

04:41PM 19

DON'T WANT TO, THE NATIVE LINUX INTERFACES ARE ALL THERE AND

04:41PM 20

ABOUT 20 PERCENT OF OUR CUSTOMERS ADOPT A PURE LINUX APPROACH,

04:42PM 21

YOU'VE SAID THOSE THINGS, CORRECT?

04:42PM 22

A. I DID.

04:42PM 23

Q. YOU'VE HEARD A LOT ABOUT OPEN OR INDUSTRY STANDARD.

04:42PM 24

YOU'VE NEVER ASKED CISCO WHETHER CLI WAS AN OPEN STANDARD

04:42PM 25

THAT ANYONE CAN USE WITHOUT PERMISSION? YOU'VE NEVER ASKED

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:49PM 1 MR. PAK: THANK YOU, YOUR HONOR.

04:49PM 2 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 536, HAVING BEEN
04:49PM 3 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
04:49PM 4 EVIDENCE.)

04:49PM 5 MR. SILBERT:

04:49PM 6 Q. MR. DUDA, WOULD YOU PLEASE READ WHAT YOU WROTE DOWN AT THE
04:50PM 7 BOTTOM OF THIS E-MAIL?

04:50PM 8 A. YES. I WROTE, FOLKS, LET'S PLEASE NOT DISCUSS HOW NX-OS
04:50PM 9 WORKS. WE DO NOT NEED OR WANT ANY CISCO-CONFIDENTIAL
04:50PM 10 INFORMATION.

04:50PM 11 Q. OKAY. AND THE DATE AT THE TOP OF THIS E-MAIL SAYS JUNE 14,
04:50PM 12 2014. DID YOU KNOW -- STRIKE THAT.

04:50PM 13 DID YOU HAVE ANY IDEA AT THAT TIME THAT CISCO WOULD ASSERT
04:50PM 14 ANY TYPE OF LEGAL ACTION AGAINST ARISTA IN THE FUTURE?

04:50PM 15 A. NO, I HAD NO IDEA.

04:50PM 16 Q. OKAY. WHY DID YOU SAY IN THIS E-MAIL, WE DO NOT NEED OR
04:50PM 17 WANT ANY CISCO CONFIDENTIAL INFORMATION?

04:50PM 18 A. BECAUSE IT'S TRUE. WE DON'T WANT TO MAKE USE OF
04:50PM 19 CONFIDENTIAL INFORMATION. WE CAN DESIGN GREAT PRODUCTS ON OUR
04:50PM 20 OWN. AND WE -- WOULDN'T BE RIGHT FOR US TO DO IT IF WE HAD IT.

04:51PM 21 Q. WOULD YOU PLEASE LOOK AT EXHIBIT 4667 IN YOUR BINDER. DO
04:51PM 22 YOU RECOGNIZE THAT DOCUMENT?

04:51PM 23 A. YES.

04:51PM 24 Q. WHAT IS IT?

04:51PM 25 A. THIS IS AN E-MAIL MESSAGE SENT BY THE SAME ENGINEER TO ME.

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:51PM 1 MR. SILBERT: YOUR HONOR, I OFFER EXHIBIT 4667.

04:51PM 2 MR. PAK: NO OBJECTION, YOUR HONOR.

04:51PM 3 THE COURT: IT WILL BE ADMITTED.

04:51PM 4 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 4667, HAVING BEEN
04:51PM 5 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
04:51PM 6 EVIDENCE.)

04:51PM 7 BY MR. SILBERT:

04:51PM 8 Q. IF WE LOOK AT THE BOTTOM OF THE E-MAIL CHAIN THERE, THERE'S
04:51PM 9 WHAT APPEARS TO BE AN E-MAIL FROM SOMEONE NAMED PRASAD KOYA?

04:51PM 10 A. THAT'S RIGHT.

04:51PM 11 Q. WHO IS PRASAD KOYA?

04:51PM 12 A. HE'S AN ENGINEER ON OUR TEAM.

04:51PM 13 Q. AND WOULD YOU PLEASE READ MR. KOYA'S E-MAIL TO YOU, IT'S
04:51PM 14 RELATIVELY SHORT?

04:51PM 15 A. MR. KOYA WRITES, HI KEN, WE HAVE A FEW PICTURES THAT WE
04:51PM 16 TOOK FROM PUBLICLY AVAILABLE CISCO DOC ON NX-OS. OTHER THAN
04:51PM 17 THAT, MOST OF MATERIAL IS COMPILED BY US FROM OUR KNOWLEDGE OF
04:52PM 18 NX-OS. NOT SURE IF THE LATTER WOULD FALL UNDER
04:52PM 19 CISCO-CONFIDENTIAL CATEGORY.

04:52PM 20 Q. AND CAN YOU JUST PLEASE EXPLAIN TO THE JURY, WHAT WAS THE
04:52PM 21 CONTEXT OF THIS E-MAIL?

04:52PM 22 A. THE CONTEXT WAS THAT A FEW ENGINEERS WANTED TO MAKE A
04:52PM 23 PRESENTATION COMPARING HOW NX-OS WORKS, PERHAPS IN COMPARISON
04:52PM 24 TO OUR SOFTWARE.

04:52PM 25 Q. AND WOULD YOU NOW IF YOU LOOK UP ONE E-MAIL IN THE CHAIN,

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:52PM 1 WHO WROTE THAT E-MAIL IN THE MIDDLE OF THE PAGE?

04:52PM 2 A. THIS IS MY RESPONSE BY ME TO PRASAD.

04:52PM 3 Q. SO WOULD YOU PLEASE READ INTO THE RECORD YOUR RESPONSE TO
04:52PM 4 MR. KOYA?

04:52PM 5 A. I WROTE, UNFORTUNATELY WE WILL NOT BE ABLE TO SHOW THIS
04:52PM 6 PRESENTATION. WHILE ARISTA OBVIOUSLY BENEFITS TREMENDOUSLY
04:52PM 7 FROM YOUR GENERAL KNOW HOW, IT WOULD NOT BE RIGHT FOR ARISTA TO
04:52PM 8 MAKE ANY USE OF ANY PRIOR ACCESS YOU MIGHT HAVE HAD TO ANY
04:53PM 9 CISCO TRADE SECRETS OR CONFIDENTIAL OR PROPRIETARY INFORMATION.
04:53PM 10 WE DID NOT AND WILL NOT DO THAT.

04:53PM 11 Q. OKAY. AND THE DATE ON THIS E-MAIL IS MAY 8, 2012, AT THAT
04:53PM 12 TIME, DID YOU HAVE ANY NOTION IN YOUR MIND THAT CISCO WOULD ONE
04:53PM 13 DAY FILE A LAWSUIT AGAINST YOU?

04:53PM 14 A. NONE.

04:53PM 15 Q. SO WHY DID YOU, IN RESPONSE TO MR. KOYA'S STATEMENT THAT HE
04:53PM 16 WAS NOT SURE THAT THE INFORMATION WOULD FALL UNDER THE CISCO
04:53PM 17 CONFIDENTIAL CATEGORY, WHY DID YOU WRITE THAT UNFORTUNATELY WE
04:53PM 18 WILL NOT BE ABLE TO SHOW THE PRESENTATION, AND THE ADDITIONAL
04:53PM 19 TEXT THAT YOU WROTE?

04:53PM 20 A. I SAID THAT TO MR. KOYA BECAUSE I WAS CONCERNED THAT HIS
04:53PM 21 PRESENTATION MIGHT BE BASED ON HIS KNOWLEDGE OF NX-OS FROM HIS
04:53PM 22 EMPLOYMENT AT CISCO AND IT WOULDN'T BE RIGHT FOR ARISTA TO MAKE
04:53PM 23 ANY USE OF THAT KNOWLEDGE.

04:54PM 24 Q. OKAY.

04:54PM 25 THANK YOU, MR. DUDA. YOU CAN PUT THAT DOCUMENT ASIDE.

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:54PM 1 DO YOU RECALL THAT MR. PAK ASKED YOU SOME QUESTIONS TODAY
04:54PM 2 ABOUT HOW ARISTA CAME TO HAVE COMMANDS IN ITS CLI THAT ARE
04:54PM 3 SIMILAR TO CISCO'S CLI?

04:54PM 4 A. YES.

04:54PM 5 Q. WERE YOU PERSONALLY INVOLVED IN MAKING A DECISION AT ARISTA
04:54PM 6 TO USE AN INDUSTRY STANDARD CLI?

04:54PM 7 A. YES, I WAS.

04:54PM 8 Q. AND WHY DID YOU DO THAT?

04:54PM 9 A. IT SEEMED LIKE THE OBVIOUS THING TO DO. IT WAS WHAT ALMOST
04:54PM 10 EVERY OTHER VENDOR IN THE ETHERNET SWITCHES MARKET ALREADY DID.

04:54PM 11 ALL VENDORS, ALMOST ALL VENDORS SHARE A COMMON APPROACH TO
04:54PM 12 THE CLI THAT INCLUDES MANY COMMON COMMANDS, AND IT ONLY MADE
04:54PM 13 SENSE FOR THE BENEFIT OF OUR CUSTOMERS TO FOLLOW THAT STANDARD
04:54PM 14 APPROACH.

04:54PM 15 Q. DIDN'T ARISTA WANT TO SET ITSELF APART FROM THE REST OF THE
04:55PM 16 INDUSTRY?

04:55PM 17 A. YES, OF COURSE. WE INNOVATED TREMENDOUSLY IN OUR PRODUCTS
04:55PM 18 BUILDING SOME OF THE HIGHEST PERFORMANCE, MOST RELIABLE
04:55PM 19 SWITCHES ON THE MARKET. BUT THE USER INTERFACE IS ONE PLACE
04:55PM 20 MAYBE YOU SHOULDN'T INNOVATE. IF YOU THINK ABOUT, FOR EXAMPLE
04:55PM 21 A TESLA CAR, HAS VERY INNOVATIVE ENGINE AND BATTERY AND
04:55PM 22 EVERYTHING ELSE, BUT A VERY FAMILIAR STEERING WHEEL,
04:55PM 23 ACCELERATOR PEDAL AND BRAKE, BECAUSE PEOPLE ARE USED TO A
04:55PM 24 CERTAIN INTERFACE, IT'S MUCH EASIER TO THEM IF YOU CAN PROVIDE
04:55PM 25 A SIMILAR INTERFACE.

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:55PM 1 Q. YOU USE THE TERM INDUSTRY STANDARD CLI IN YOUR TESTIMONY

04:55PM 2 WITH MR. PAK, IS THAT A TERM THAT YOU WERE ALREADY USING AT THE

04:55PM 3 TIME YOU DECIDED WHAT TYPE OF CLI TO USE AT ARISTA?

04:55PM 4 A. YES. THE TERM INDUSTRY STANDARD CLI HAS BEEN WIDELY USED

04:55PM 5 IN OUR INDUSTRY BY MANY COMPANIES FOR MANY YEARS.

04:55PM 6 Q. WHEN DID -- WELL, WHAT DO YOU MEAN BY THE TERM INDUSTRY

04:56PM 7 STANDARD CLI?

04:56PM 8 A. THE INDUSTRY STANDARD CLI IS A SET OF COMMON COMMANDS AND

04:56PM 9 COMMON EXPECTATIONS FOR HOW COMMANDS WORK THAT APPLY ACROSS

04:56PM 10 LOTS OF DIFFERENT DEVICES. THERE ARE THINGS THAT OUR CUSTOMERS

04:56PM 11 EXPECT FROM THEIR DEVICES.

04:56PM 12 Q. IS THE INDUSTRY STANDARD CLI THE SAME THING AS THE IOS CLI?

04:56PM 13 A. WELL, CISCO SAYS THAT IT IS. AND I THINK THERE'S OBVIOUSLY

04:56PM 14 A CONNECTION THERE BECAUSE A LOT OF THE INDUSTRY STANDARD

04:56PM 15 APPROACH ORIGINATES FROM CISCO.

04:56PM 16 BUT THAT SAID, THEY ARE DIFFERENT THINGS. THE IOS CLI AT

04:56PM 17 LEAST TECHNICALLY, IS ONE IMPLEMENTATION. BUT OFTEN PEOPLE USE

04:56PM 18 THE TERM SORT OF INTERCHANGEABLY.

04:56PM 19 Q. WHEN DID YOU FIRST HEAR COMPANIES IN THE NETWORKING

04:56PM 20 INDUSTRY USE THE TERM INDUSTRY STANDARD CLI?

04:56PM 21 A. OH, IT'S BEEN GOING ON FOR MANY YEARS. WHEN I WAS AT CISCO

04:57PM 22 BACK IN THE LATE 1990'S, I WAS AWARE THAT OTHER VENDORS HAD

04:57PM 23 SIMILAR COMMAND LINE INTERPRETERS ON THEIR PRODUCTS.

04:57PM 24 Q. WHEN YOU WERE AT CISCO IN THE LATE 1990'S, DID ANYONE EVER

04:57PM 25 SUGGEST TO YOU THAT IT WAS SOMEHOW IMPROPER TO EMULATE CISCO'S

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:57PM 1 CLI?

04:57PM 2 A. NO, NOT AT ALL. IT WAS STANDARD PRACTICE, AND MY SENSE WAS
04:57PM 3 THAT WE FELT IT GAVE THE COMPANY AN ADVANTAGE BECAUSE OTHERS
04:57PM 4 WERE EFFECTIVELY FOLLOWING US.

04:57PM 5 Q. OKAY. CAN I ASK YOU PLEASE TO LOOK AT EXHIBIT 7748 IN YOUR
04:57PM 6 BINDER.

04:57PM 7 THIS IS AN E-MAIL TO SEVERAL RECIPIENTS, INCLUDING THE
04:57PM 8 ENG@ARASTRA.COM E-MAIL GROUP. WERE YOU A MEMBER OF THAT E-MAIL
04:58PM 9 GROUP AT THE TIME THIS E-MAIL WAS SENT?

04:58PM 10 A. YES, I WAS.

04:58PM 11 Q. DID YOU RECEIVE THIS E-MAIL ON OR AROUND APRIL 23RD, 2008?

04:58PM 12 A. YES.

04:58PM 13 MR. SILBERT: YOUR HONOR, I MOVE EXHIBIT 7748 INTO
04:58PM 14 EVIDENCE.

04:58PM 15 MR. PAK: NO OBJECTION, YOUR HONOR.

04:58PM 16 THE COURT: IT WILL BE ADMITTED.

04:58PM 17 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 7748, HAVING BEEN
04:58PM 18 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
04:58PM 19 EVIDENCE.)

04:58PM 20 BY MR. SILBERT:

04:58PM 21 Q. THE SENDER OF THIS E-MAIL IS SOMEONE NAMED LORENZ
04:58PM 22 REDLEFSEN, WHO WAS THAT?

04:58PM 23 A. HE WAS AN ENGINEER AT ARISTA.

04:58PM 24 Q. AND I THINK YOU COVERED THIS IN YOUR TESTIMONY EARLIER
04:58PM 25 TODAY, BUT I NOTICE THE E-MAIL GROUP IS ARASTRA.COM, WHAT IS

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

04:58PM 1

ARASTRA OR ARASTRA?

04:58PM 2

A. ARASTRA WAS THE ORIGINAL NAME OF OUR COMPANY BEFORE WE

04:58PM 3

CHANGED IT TO ARISTA.

04:58PM 4

Q. OKAY. THE SUBJECT LINE OF THIS E-MAIL IS BNT, LAUNCHES

04:58PM 5

RACK SWITCHES.

04:58PM 6

WHAT IS BNT?

04:59PM 7

A. BNT IS A COMPANY CALLED BLADE NETWORK TECHNOLOGIES, WHICH

04:59PM 8

AT THE TIME WAS A COMPETITOR TO BOTH ARISTA AND CISCO.

04:59PM 9

Q. AND LOOKING NOW AT THE FIRST SENTENCE OF THE E-MAIL, IT

04:59PM 10

SAYS, I LIKE THE FORMAT OF THEIR DATA SHEET, AND LET ME STOP

04:59PM 11

THERE, WHAT IS A DATA SHEET?

04:59PM 12

A. A DATA SHEET IS A DOCUMENT THAT COMPANIES PREPARE AND

04:59PM 13

PROVIDE TO CUSTOMERS OR PROSPECTIVE CUSTOMERS THAT DESCRIBES A

04:59PM 14

PRODUCT TYPICALLY IN TECHNICAL TERMS.

04:59PM 15

Q. AND LOOKING AT THE NEXT PARAGRAPH NOW IN THE E-MAIL, IT

04:59PM 16

BEGINS, THEY PLAY UP THE FACT THAT THEIR IS-CLI IS CISCO-LIKE

04:59PM 17

FOR OPTIMAL INTEROPERABILITY WITH CISCO OR OTHER VENDORS'S

04:59PM 18

NETWORKS.

04:59PM 19

HAVE YOU HEARD THE ACRONYM, IS-CLI USED BY BLADE NETWORKS?

04:59PM 20

A. YES.

04:59PM 21

Q. AND WHAT DO YOU UNDERSTAND THAT REFERS TO?

05:00PM 22

A. IT STANDS FOR INDUSTRY STANDARD COMMAND-LINE INTERFACE AND

05:00PM 23

REFERS TO THE COMMAND-LINE INTERFACE ON THE BNT SWITCH.

05:00PM 24

Q. OKAY. AND REFERRING TO THE STATEMENT THAT THE IS-CLI WAS

05:00PM 25

CISCO-LIKE FOR OPTIMAL INTEROPERABILITY WITH CISCO OR OTHER

DIRECT EXAMINATION OF MR. DUDA BY MR. PAK

05:00PM 1 VENDOR'S NETWORKS, WAS THAT STATEMENT, THAT TYPE OF STATEMENT
05:00PM 2 UNUSUAL IN YOUR EXPERIENCE IN THE NETWORKING INDUSTRY?

05:00PM 3 A. NO, NOT AT ALL. VENDORS ARE QUITE OPEN ABOUT THEIR USE OF
05:00PM 4 THE INDUSTRY STANDARD COMMAND LINE INTERPRETER AND HOW IT'S
05:00PM 5 SIMILAR TO THE CISCO INTERPRETER.

05:00PM 6 Q. WHAT DOES IT MEAN FOR A SWITCH TO BE INTEROPERABLE WITH
05:00PM 7 OTHER VENDOR'S NETWORKS?

05:00PM 8 A. I BELIEVE THAT TEXT REFERS TO THE NOTION THAT IF A CUSTOMER
05:00PM 9 HAS TRAINED ITS NETWORK ENGINEERS ON THE DETAILS OF THE CISCO
05:01PM 10 COMMAND-LINE INTERFACE, THEY CAN TAKE ADVANTAGE OF THAT
05:01PM 11 TRAINING AND USE A SIMILAR COMMAND SET ON THE SWITCHES OF MANY
05:01PM 12 DIFFERENT VENDORS, INCLUDING THE BNT SWITCH AND OTHER VENDORS,
05:01PM 13 SINCE THEY ALL USE A SIMILAR SET OF COMMANDS.

05:01PM 14 Q. OKAY. AND WRAPPING UP WITH ONE FINAL QUESTION.

05:01PM 15 LOOKING AGAIN AT THIS LANGUAGE THAT THEY PLAY UP THE FACT
05:01PM 16 THAT THEIR IS-CLI IS CISCO-LIKE FOR OPTIMAL INTEROPERABILITY
05:01PM 17 WITH CISCO OR OTHER VENDOR'S NETWORKS, HOW WOULD A CISCO-LIKE
05:01PM 18 CLI ENABLE INTEROPERABILITY WITH OTHER VENDOR'S NETWORKS?

05:01PM 19 A. THAT'S BECAUSE OTHER VENDORS ALSO HAVE A CISCO-LIKE CLI.

05:01PM 20 SO THE SAME TRAINING APPLIES ACROSS ALL OF THESE DIFFERENT
05:01PM 21 TYPES OF SWITCHES FROM DIFFERENT VENDORS.

05:01PM 22 MR. SILBERT: THANK YOU, SIR. I THINK WE ARE DONE.

05:01PM 23 THE COURT: ALL RIGHT. WE HAVE REACHED THE END OF
05:01PM 24 OUR DAY. ARE YOU DONE WITH YOUR QUESTIONING?

05:01PM 25 MR. SILBERT: I HAVE A BIT MORE.

08:55AM 1 THE COURT: AND YOU'VE DISCLOSED THEM ALL.

08:55AM 2 MR. PAK: OF COURSE. THIS IS AN ISSUE OF, HOW DO WE
08:55AM 3 GET THROUGH THIS PART OF TRIAL AS QUICKLY AS WE CAN.

08:55AM 4 WE WOULD LIKE TO BE ABLE TO USE THE 4803 DOCUMENT TO BE
08:55AM 5 ABLE TO ESTABLISH THAT THESE WERE ALL THE DIFFERENT TYPES OF
08:55AM 6 DOCUMENTS THAT WERE REGISTERED WITH THE COPYRIGHT OFFICE.

08:55AM 7 THE COURT: AND THE JURY IS NOT GOING TO HAVE ALL THE
08:55AM 8 KEYS THEMSELVES OR ARE THEY?

08:55AM 9 MR. PAK: WE CAN MOVE ALL OF THAT INTO EVIDENCE,
08:55AM 10 YOUR HONOR. JUST TO BE CLEAR, IF WE DO THAT, I MAY HAVE A
08:55AM 11 SUGGESTION FOR, YOUR HONOR, IT'S LET LITERALLY BOXES AND BOXES,
08:55AM 12 IT MIGHT FILL THIS ENTIRE ROOM.

08:55AM 13 THE COURT: WELL, LUCKILY WE ARE NOT DEALING WITH
08:55AM 14 PAPER.

08:55AM 15 MR. PAK: SO I THINK WE WANT TO PUT IT ON SOME TYPE
08:55AM 16 OF USB DRIVE OR A COMPUTER THAT THE JURY CAN LOOK AT IF THEY
08:56AM 17 WANT TO, BUT WE WOULD LIKE TO FIGURE OUT AN EFFICIENT MECHANISM
08:56AM 18 TO GET INTO THE RECORD THE 26 COPYRIGHT REGISTRATIONS WHICH
08:56AM 19 CONSIST OF ALL THE DIFFERENT USER MANUALS.

08:56AM 20 THE COURT: AND OF COURSE I'M LOOKING FOR WHERE I
08:56AM 21 WOULD FIND -- THE TROUBLE I HAVE IS THAT IT'S HARD FOR ME TO
08:56AM 22 FIND, I WANT TO LOOK AT IT AGAIN.

08:56AM 23 SO THIS IS 80 PAGES, THIS IS 26 REGISTRATIONS BUT IT'S MORE
08:56AM 24 THAN THAT. THAT'S WHY I WAS REALLY STRUGGLING A LITTLE BIT TO
08:57AM 25 UNDERSTAND, THIS IS A SUMMARY INDEX OF THE REGISTRATIONS.

CROSS-EXAMINATION OF MR. DUDA BY MR. SILBERT

09:23AM 1

CAN.

09:23AM 2

MR. SILBERT: THAT'S OKAY.

09:23AM 3

Q. CAN YOU EXPLAIN, MR. DUDA, WHY YOU SAID IN DEPOSITION THAT

09:23AM 4

YOU THOUGHT THAT ARISTA POSSIBLY MIGHT HAVE A COPYRIGHT IN CLI

09:24AM 5

COMMANDS?

09:24AM 6

A. SURE. THE SITUATION WAS THAT CISCO HAD ASSERTED A

09:24AM 7

COPYRIGHT ON CLI COMMANDS AGAINST US. PRIOR TO THAT ASSERTION,

09:24AM 8

I NEVER WOULD HAVE IMAGINED THAT A CLI COMMAND WOULD BE

09:24AM 9

COPYRIGHTED. BUT ONCE THEY'VE ASSERTED IT, THE CASE WAS GOING

09:24AM 10

ON, IT'S POSSIBLE THAT THEY WOULD WIN.

09:24AM 11

IF THEY DO WIN, THEN I COULD ONLY ASSUME THAT ARISTA WOULD

09:24AM 12

HAVE A COPYRIGHT IN THE COMMANDS THAT WE CREATED.

09:24AM 13

Q. THANK YOU.

09:24AM 14

I WANT TO SWITCH TO A NEW TOPIC. MR. PAK ASKED YOU

09:24AM 15

YESTERDAY ABOUT SOURCE CODE, DIFFERENT COMPANY'S SOURCE CODE IN

09:24AM 16

ARISTA'S SWITCH; DO YOU RECALL THAT?

09:24AM 17

A. YES.

09:24AM 18

Q. HOW MUCH ORIGINAL SOURCE CODE DID ARISTA WRITE FOR ITS

09:24AM 19

OPERATING SYSTEM?

09:24AM 20

A. WE'VE WRITTEN OVER 6 MILLION LINES OF ORIGINAL SOURCE CODE,

09:24AM 21

PERHAPS 100,000 PAGES.

09:25AM 22

Q. AND HOW MANY SOFTWARE ENGINEERS DOES ARISTA CURRENTLY

09:25AM 23

EMPLOY WHO REPORT TO YOU EITHER DIRECTLY OR INDIRECTLY?

09:25AM 24

A. WE HAVE APPROXIMATELY 650 SOFTWARE ENGINEERS.

09:25AM 25

Q. DO ARISTA'S PRODUCTS USE ANY SOURCE CODE WRITTEN BY CISCO?

CROSS-EXAMINATION OF MR. DUDA BY MR. SILBERT

09:25AM 1 A. NO, NOT A SINGLE ONE.

09:25AM 2 Q. NOW MR. PAK ALSO ASKED YOU YESTERDAY ABOUT YOUR EMPLOYMENT

09:25AM 3 AT CISCO; DO YOU RECALL THAT?

09:25AM 4 A. YES, I DO.

09:25AM 5 Q. HOW MUCH TIME PASSED BETWEEN THE TIME THAT YOU LEFT CISCO

09:25AM 6 AND THE TIME THAT YOU HELPED TO FOUND ARISTA?

09:25AM 7 A. I LEFT CISCO IN APRIL 1999 AND WORKED AT ANOTHER COMPANY

09:25AM 8 FOR A LITTLE OVER FIVE YEARS. WE FOUNDED ARISTA IN

09:25AM 9 OCTOBER 2004.

09:26AM 10 Q. AND THAT OTHER COMPANY THAT YOU WORKED AT FOR A LITTLE OVER

09:26AM 11 FIVE YEARS, WAS THAT THE IN THE NETWORKING FIELD?

09:26AM 12 A. NO, IT WASN'T. WE WERE CREATING AN ONLINE VIRTUAL

09:26AM 13 EXPERIENCE FOR SOCIALIZING.

09:26AM 14 Q. NOW, AFTER YOU FOUNDED ARISTA, HOW MUCH TIME PASSED BEFORE

09:26AM 15 ARISTA MADE THE DECISION TO BUILD AN ETHERNET SWITCH?

09:26AM 16 A. IT WAS A LITTLE MORE THAN ONE YEAR. WE MADE THE DECISION

09:26AM 17 TO START BUILDING ETHERNET SWITCHES IN NOVEMBER 2005.

09:26AM 18 Q. SO IF YOU COULD PLEASE DO THE MATH FOR ME. HOW MUCH TIME

09:26AM 19 PASSED FROM THE TIME YOU LEFT CISCO UNTIL THE TIME THAT ARISTA

09:26AM 20 DECIDED TO START BUILDING AN ETHERNET SWITCH?

09:26AM 21 A. AT THE RISK OF DOING THE MATH IN MY HEAD, I BELIEVE IT WAS

09:26AM 22 ABOUT 6 AND 1 HALF YEARS.

09:26AM 23 Q. THE OPERATING SYSTEMS THAT CISCO IS ASSERTING IN THIS CASE

09:27AM 24 ARE IOS, NX-OS, IOS XR, AND IOS XE. DURING THE TIME THAT YOU

09:27AM 25 WERE AT CISCO, DID YOU WORK ON ANY OF THOSE OPERATING SYSTEMS

CROSS-EXAMINATION OF MR. DUDA BY MR. SILBERT

09:27AM 1 IN ANY CAPACITY?

09:27AM 2 A. I HAVE NEVER WORKED ON ANY OF THOSE OPERATING SYSTEMS IN

09:27AM 3 ANY CAPACITY.

09:27AM 4 Q. OKAY. MR. DUDA, IS THERE A PARTICULAR COMPONENT OF AN

09:27AM 5 OPERATING SYSTEM THAT RECEIVES CLI COMMANDS WHEN THEY ARE

09:27AM 6 ENTERED BY A USER?

09:27AM 7 A. YES, THE SOFTWARE THAT RECEIVES AND MAKES SENSE OUT OF CLI

09:27AM 8 COMMANDS IS TYPICALLY CALLED THE CLI PARSER.

09:27AM 9 Q. AND WHO WROTE THE CLI PARSER IN ARISTA'S EOS OPERATING

09:27AM 10 SYSTEM?

09:27AM 11 A. VARIOUS PEOPLE HAVE WORKED ON IT OVER THE YEARS, BUT I

09:28AM 12 WROTE THE INITIAL VERSION MYSELF.

09:28AM 13 Q. AND WHEN YOU WROTE THE SOURCE CODE FOR ARISTA'S CLI PARSER,

09:28AM 14 HAD YOU EVER SEEN SOURCE CODE FOR CISCO'S CLI PARSER?

09:28AM 15 A. NO, I NEVER WORKED ON ANY CLI PARSER AT CISCO, I NEVER

09:28AM 16 CREATED ANY CLI COMMANDS AT CISCO.

09:28AM 17 Q. WHEN YOU WROTE THE ARISTA CLI PARSER, WAS THAT THE FIRST

09:28AM 18 PARSER YOU HAD EVER WRITTEN?

09:28AM 19 A. NO, NOT AT ALL. I WROTE MY FIRST PARSER WHEN I WAS ABOUT

09:28AM 20 12 YEARS OLD AND I CONTINUED WRITING PARSERS AT VARIOUS POINTS

09:28AM 21 OF MY CAREER INCLUDING SEVERAL IN COLLEGE AND A FEW YEARS AFTER

09:28AM 22 COLLEGE.

09:28AM 23 Q. I WANT TO ASK YOU ABOUT A COUPLE OF DIFFERENT DOCUMENTS

09:28AM 24 THAT MR. PAK SHOWED YOU.

09:28AM 25 SO JUST TO BE CLEAR, THESE WILL BE IN THE OTHER BINDER, THE

CROSS-EXAMINATION OF MR. DUDA BY MR. SILBERT

09:37AM 1 LOOK AT THE OUTPUT. BUT OTHER CUSTOMERS CREATE PROGRAMS THAT
09:37AM 2 ISSUE COMMANDS TO SWITCHES AND THEN INTERPRET THE RESPONSE THAT
09:37AM 3 THE SWITCH GENERATES.

09:38AM 4 FOR CUSTOMERS WHO HAVE ALREADY WRITTEN PROGRAMS THAT
09:38AM 5 INTERPRET SWITCH COMMAND RESPONSES, IT'S HELPFUL IF OUR SWITCH
09:38AM 6 COMMAND RESPONSE IS SIMILAR TO THE COMMAND RESPONSES OF OTHER
09:38AM 7 SWITCHES IN A NETWORK.

09:38AM 8 Q. AND WHY IS IT HELPFUL?

09:38AM 9 A. IT'S HELPFUL BECAUSE THE PROGRAM THAT OUR CUSTOMER ALREADY
09:38AM 10 WROTE TO INTERPRET THAT COMMAND RESPONSES WILL CONTINUE TO
09:38AM 11 FUNCTION WITH OUR SWITCH AND WON'T NEED SIGNIFICANT REVISION
09:38AM 12 WHEN THE CUSTOMER INTRODUCES OUR SWITCHES INTO THEIR NETWORK.

09:38AM 13 Q. OKAY. MOVING TO A NEW TOPIC AGAIN.

09:38AM 14 COULD YOU PLEASE EXPLAIN, JUST AT A HIGH LEVEL, WHAT IS IT
09:38AM 15 THAT CLI COMMANDS ARE USED FOR?

09:38AM 16 A. AT A HIGH LEVEL, CLI COMMANDS HAVE THREE PURPOSES.

09:38AM 17 THE FIRST PURPOSE IS TO CONFIGURE THE DEVICE, TO GIVE IT
09:38AM 18 INSTRUCTIONS ABOUT HOW IT SHOULD BEHAVE IN THE FUTURE AS THE
09:38AM 19 NETWORK OPERATES.

09:38AM 20 THE SECOND FUNCTION ARE SHOW COMMANDS THAT DISPLAY THE
09:38AM 21 STATUS OF THE DEVICE, INCLUDING COUNTERS, ROUTES LEARNED IN A
09:38AM 22 NETWORK AND SO ON.

09:38AM 23 AND THE THIRD FUNCTION ARE SO CALLED EXEC COMMANDS THAT
09:39AM 24 TAKE SOME IMMEDIATE ADMINISTRATIVE ACTION, SUCH AS REBOOTING
09:39AM 25 THE SWITCH OR SHUTTING DOWN THE SWITCH, UPGRADING THE SOFTWARE

CROSS-EXAMINATION OF MR. DUDA BY MR. SILBERT

09:39AM 1

ON THE SWITCH.

09:39AM 2

Q. IS THERE ONLY ONE POSSIBLE WAY TO STATE ANY PARTICULAR CLI

09:39AM 3

COMMAND.

09:39AM 4

A. NO THERE'S USUALLY MORE THAN ONE WAY TO SAY ALMOST

09:39AM 5

ANYTHING.

09:39AM 6

Q. ARE THE OPTIONS LIMITED?

09:39AM 7

A. I THINK THE OPTIONS ARE QUITE LIMITED, IF YOU HAVE AN

09:39AM 8

EXISTING STRUCTURE FOR YOUR CLI, YOU WOULD WANT YOUR COMMANDS

09:39AM 9

TO BASICALLY FOLLOW THAT STRUCTURE TO BE CONSISTENT WITH OTHER

09:39AM 10

COMMANDS IN YOUR CLI.

09:39AM 11

FURTHER, THE WORDS IN THE COMMAND THEMSELVES, LARGELY COME

09:39AM 12

FROM INDUSTRY STANDARD DOCUMENTS, WORDS LIKE ROUTE OR IP.

09:39AM 13

THESE ARE INDUSTRY STANDARD TERMS, THERE AREN'T A LOT OF

09:39AM 14

ALTERNATIVES FOR THEM.

09:39AM 15

Q. HOW MUCH OF THE INDUSTRY STANDARD CLI CONSISTS OF STANDARD

09:40AM 16

NETWORKING TERMINOLOGY?

09:40AM 17

A. MOST OF THE COMMAND WORDS, MOST OF THE WORDS THAT MAKE UP

09:40AM 18

OUR COMMANDS FROM COME INDUSTRY STANDARD SOURCES.

09:40AM 19

Q. AND EVEN IF YOU USE THAT INDUSTRY STANDARD TERMINOLOGY,

09:40AM 20

DON'T YOU HAVE CHOICES TO MAKE AS FAR AS HOW YOU STRING THOSE

09:40AM 21

WORDS TOGETHER TO MAKE UP A COMMAND?

09:40AM 22

A. YOU MAY HAVE SOME CHOICE, BUT AGAIN, IT'S PRETTY LIMITED.

09:40AM 23

NOT TOO MANY WORD ORDERS MAKE A LOT OF SENSE.

09:40AM 24

FOR EXAMPLE, IF YOU HAVE A COMMAND TO SHOW THE IP ROUTES

09:40AM 25

YOU'VE LEARNED ON YOUR SWITCH, YOU COULD DO SHOW IP ROUTE OR

REDIRECT EXAMINATION OF MR. DUDA BY MR. PAK

09:43AM 1 Q. NOW I WANT TO GO BACK AND JUST ESTABLISH SOME FACTS. I
09:43AM 2 THINK THERE WERE SOME QUESTIONS ABOUT E-MAILS, BUT I THINK IT'S
09:43AM 3 UNDISPUTED NOW THAT ARISTA COPIED CLI COMMANDS FROM CISCO'S
09:43AM 4 SOURCE CODE?

09:43AM 5 A. THAT'S RIGHT.

09:43AM 6 Q. WITH RESPECT TO SCREEN OUTPUTS, YOU WOULD AGREE WITH ME,
09:43AM 7 SIR, THAT IF ANY OF CISCO'S SCREEN OUTPUTS CONTAIN EXPRESSIVE
09:44AM 8 WORK, THEN ARISTA CANNOT USE THAT MATERIAL WITHOUT A LICENSE
09:44AM 9 FROM CISCO; ISN'T THAT TRUE?

09:44AM 10 MR. SILBERT: OBJECTION. CALLS FOR A LEGAL
09:44AM 11 CONCLUSION.

09:44AM 12 MR. PAK: THAT'S YOUR BELIEF, RIGHT?

09:44AM 13 THE COURT: SUSTAINED.

09:44AM 14 BY MR. PAK:

09:44AM 15 Q. YOU TESTIFIED EARLIER THAT YOU HAD CERTAIN BELIEFS ABOUT
09:44AM 16 WHAT YOU CAN DO PROPERLY AND WHAT YOU CANNOT DO PROPERLY WITH
09:44AM 17 RESPECT TO CISCO'S COMMANDS; IS THAT TRUE?

09:44AM 18 A. I BELIEVE SO.

09:44AM 19 Q. OKAY. DO YOU BELIEVE ON BEHALF OF ARISTA THAT YOU CAN TAKE
09:44AM 20 ANY OF THE SCREEN OUTPUTS FROM CISCO WITHOUT A LICENSE; IS THAT
09:44AM 21 YOUR TESTIMONY?

09:44AM 22 MR. SILBERT: SAME OBJECTION.

09:44AM 23 THE COURT: SUSTAINED.

09:44AM 24 BY MR. PAK:

09:44AM 25 Q. DID YOU FORM ANY SUBJECTIVE BELIEFS ON BEHALF OF ARISTA

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

10:08AM 1 Q. AND YOU SEE THE QUESTION THERE, PRIOR TO CISCO, HAD YOU
10:08AM 2 DONE ANY TYPE OF SOFTWARE DEVELOPMENT FOR NETWORK EQUIPMENT,
10:08AM 3 ANSWER NOT FOR NETWORK EQUIPMENT?

10:08AM 4 A. THAT'S RIGHT.

10:08AM 5 Q. OKAY. SO NOW THEN YOU CAME DIRECTLY FROM CISCO TO ARISTA
10:08AM 6 IN 2007, CORRECT?

10:08AM 7 A. THAT'S CORRECT.

10:08AM 8 Q. NO COMPANIES IN BETWEEN?

10:08AM 9 A. NO.

10:08AM 10 Q. NOW WHEN YOU WERE AT CISCO, YOU WERE PART OF AN E-MAIL
10:09AM 11 GROUP CALLED THE PARSER-POLICE, RIGHT?

10:09AM 12 A. YES, I WAS.

10:09AM 13 Q. AND IN FACT, YOU PROPOSED SOME CLI COMMANDS AS PART OF YOUR
10:09AM 14 WORK AT CISCO, RIGHT?

10:09AM 15 A. I DID.

10:09AM 16 Q. AND YOU ALSO COMMENTED THROUGH THIS PARSER-POLICE E-MAIL ON
10:09AM 17 COMMANDS THAT OTHER FOLKS HAD PRESENTED, CORRECT?

10:09AM 18 A. IF IT RELATED TO MY AREA OF EXPERTISE, THEN YES.

10:09AM 19 Q. RIGHT. SO SOMETIMES YOU DID, RIGHT?

10:09AM 20 A. YES.

10:09AM 21 Q. AND YOU UNDERSTAND ON THIS PARSER-POLICE E-MAIL, PEOPLE
10:09AM 22 WOULD SOMETIMES EXPRESS DISAGREEMENT ABOUT HOW THE COMMANDS
10:09AM 23 SHOULD BE STRUCTURED, WHAT THEY SHOULD SAY, WHAT THEY SHOULD
10:09AM 24 BE, RIGHT?

10:09AM 25 A. THAT'S CORRECT.

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

10:09AM 1 Q. AND THERE WAS E-MAILS GOING BACK AND FORTH AND HEALTHY
10:09AM 2 DISCUSSION ABOUT WHAT THOSE THINGS SHOULD BE, CORRECT?

10:09AM 3 A. YES.

10:09AM 4 Q. AND THAT WENT ON DURING THE TIME THAT YOU WERE AT CISCO FOR
10:09AM 5 THE CLI COMMAND DEVELOPMENT, RIGHT?

10:09AM 6 A. YES.

10:09AM 7 Q. NOW I WANT TO SWITCH GEARS A LITTLE BIT HERE. SO YOU'RE
10:09AM 8 AWARE THAT MANY OF THE SENIOR OFFICERS AND FOUNDERS OF ARISTA
10:09AM 9 CAME FROM CISCO, RIGHT?

10:10AM 10 A. THAT'S CORRECT.

10:10AM 11 Q. AND YOU KNOW THAT THERE ARE TIMES WHEN ARISTA HAS PUT
10:10AM 12 FEATURES IN ITS PRODUCTS WHERE IT WAS EMULATING FEATURES THAT
10:10AM 13 PRE-EXISTED IN CISCO PRODUCTS; ISN'T THAT RIGHT?

10:10AM 14 A. THAT'S RIGHT.

10:10AM 15 Q. NOW WHEN YOU CAME, LET ME JUST GO BACK IN TIME. YOU CAME
10:10AM 16 IN 2007, WAS IT LIKE MID-2007?

10:10AM 17 A. JULY, 2007.

10:10AM 18 Q. JULY 2007 SO PRETTY MUCH RIGHT SMACK IN THE MIDDLE OF 2007.
10:10AM 19 SO WHEN YOU CAME, ARISTA ACTUALLY HAD A SWITCH THAT WAS
10:10AM 20 RUNNING, I BELIEVE YOU DESCRIBED THEM AS CISCO-LIKE CLI'S
10:10AM 21 RIGHT?

10:10AM 22 A. WE HAD A SWITCH THAT HAD A BASIC CLI, WE HAD VERY FEW
10:10AM 23 FEATURES AT THAT TIME, BUT IT WAS UP AND RUNNING IN THE LAB.

10:10AM 24 Q. IT WAS UP AND RUNNING, AND IN FACT IN SEPTEMBER OF 2007,
10:10AM 25 YOU ACTUALLY SHIPPED ONE OF THOSE SWITCHES TO A MR. JEFF LAPIK

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

10:14AM 1 Q. WELL ENOUGH FEATURES SO THAT YOU SHIPPED ONE A COUPLE
10:14AM 2 MONTHS LATER TO MR. LAPIK, I BELIEVE IT IS, AT UNIVERSITY OF
10:14AM 3 NEW HAMPSHIRE, RIGHT?
10:14AM 4 A. ENOUGH FEATURES TO TEST THE POWER, CORRECT.
10:14AM 5 Q. SO THEN WE CAN SAY BY THAT TIME IT'S SOMEWHERE SOUTH FOR
10:14AM 6 2007 SOME WERE SOUTH OF \$2.5 MILLION, RIGHT?
10:14AM 7 A. YES.
10:14AM 8 Q. MAYBE ABOUT HALF OF THAT?
10:14AM 9 A. JULY IS MAJOR, SO YES.
10:14AM 10 Q. SO THE TOTAL EXPENDITURE TO QUIET A SWITCH THAT HAD EOS AND
10:14AM 11 WAS RUNNING IOS-LIKE CLI, WAS LESS THAN \$2 MILLION, RIGHT?
10:14AM 12 A. YES, THAT'S CORRECT.
10:14AM 13 Q. NOW YOU ARE AWARE THAT CISCO IN TERMS OF DEVELOPMENT ON ITS
10:14AM 14 PRODUCTS SPENDS NORTH OF \$5 BILLION A YEAR ON RESEARCH AND
10:15AM 15 DEVELOPMENT, RIGHT?
10:15AM 16 A. IN TODAY'S TIME, THAT SOUNDS RIGHT.
10:15AM 17 Q. NOW, SIR, I WOULD LIKE TO TALK TO YOU ABOUT A FEW OTHER
10:15AM 18 THINGS HERE. SO IT'S TRUE THAT ARISTA INTENTIONALLY COPIED
10:15AM 19 CISCO'S CLI, RIGHT?
10:15AM 20 A. IT'S TRUE THAT WE USED THE SAME CLI FOR MANY OF OUR BASE OR
10:15AM 21 CORE FEATURES.
10:15AM 22 Q. AND INTENTIONALLY COPIED THAT, RIGHT?
10:15AM 23 A. FOR THOSE CORE FEATURES, YES.
10:15AM 24 Q. CORE FEATURES, IS THAT WHAT YOU SAID?
10:15AM 25 A. THAT'S RIGHT.

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

10:15AM 1 Q. OKAY. AND YOU ACTUALLY TOLD, WHEN YOUR INTERACTIONS WITH
10:15AM 2 CUSTOMERS, THAT YOUR CLI IS JUST LIKE CISCO'S CLI, RIGHT?

10:15AM 3 A. IN THE EARLY DAYS, YES, THAT'S TRUE.

10:15AM 4 Q. OKAY. AND YOU KNOW THAT OTHERS AT ARISTA HAVE SAID THE
10:15AM 5 SAME THINGS TO CUSTOMERS, RIGHT?

10:16AM 6 A. YES.

10:16AM 7 Q. NOW I WANT TO TURN TO YOUR BINDER. IN EXHIBIT 197, THIS
10:16AM 8 WAS ACTUALLY JUST MOVED INTO EVIDENCE. SO WE DON'T NEED TO DO
10:16AM 9 THAT.

10:16AM 10 SO IF YOU COULD JUST DISPLAY EXHIBIT 197 AGAIN, MR. FISHER.

10:16AM 11 SO THIS IS AN E-MAIL, THE WHOLE EXHIBIT, AND YOU CAN GO
10:16AM 12 FLIP THROUGH, WOULD BE AN E-MAIL STRING BETWEEN MR. DUDA,
10:16AM 13 MR. SWEENEY, MR. HAFEEZ AND YOURSELF?

10:16AM 14 A. THAT'S RIGHT.

10:16AM 15 Q. NOW I JUST WANT TO ASK YOU A FEW QUESTIONS ABOUT THIS. SO
10:16AM 16 IF WE CAN GO BACK, AND I THINK IN TIME, THESE KIND OF GO IN
10:16AM 17 REVERSE ORDER MEANING THE OLDEST ONE IS AT THE BACK?

10:17AM 18 A. THAT'S RIGHT.

10:17AM 19 Q. SO LET'S KIND OF GO BACK THERE AND LOOK AT THE VERY LAST
10:17AM 20 ONE. THIS STARTS, THE LAST PAGE WOULD BE PAGE 3 OF THAT.

10:17AM 21 SO THAT'S AN E-MAIL FROM MR. SWEENEY TO YOURSELF, RIGHT?

10:17AM 22 A. THAT'S RIGHT.

10:17AM 23 Q. AND HE'S EXPRESSING, YOUR UNDERSTANDING, SOME OPINIONS ON
10:17AM 24 CLI FUNCTIONALITY RELATED TO A FEATURE CALLED ACL, RIGHT?

10:17AM 25 A. THAT'S CORRECT.

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

10:22AM 1 Q. RIGHT BUT THEY ALSO USED OTHER THINGS, CORRECT?

10:22AM 2 A. YOU MEAN SOME COMPANIES USED OTHERS.

10:22AM 3 Q. CORRECT.

10:22AM 4 A. YES.

10:22AM 5 Q. SO NOW, I WANT TO MOVE A LITTLE BIT FORWARD IN THIS E-MAIL
10:22AM 6 STRING, THAT IS, AND LOOK AT THE NEXT EXCHANGE.

10:22AM 7 AND THIS -- I WANT TO LOOK AT YOUR RESPONSE, THIS ONE IS ON
10:22AM 8 PAGE 2, SO IT SHOULD BE JULY 21ST, 2009.

10:22AM 9 AND I BELIEVE WHAT WE ARE LOOKING AT HERE IS AGAIN I
10:22AM 10 BELIEVE A RESPONSE TO A QUESTION FROM MR. SWEENEY ABOUT CLI
10:22AM 11 FUNCTIONALITY CONCERNING ACCESS CONTROL LIST, RIGHT?

10:23AM 12 A. THAT'S RIGHT.

10:23AM 13 Q. SO YOUR RESPONSE IS YES, PICKING THE BEST OF IOS, NX-OS AND
10:23AM 14 IOS XR WILL CERTAINLY WORK, RIGHT?

10:23AM 15 A. CORRECT.

10:23AM 16 Q. SO JUST SO WE ARE CLEAR, IOS, NX-OS, AND IOS XR ARE ALL
10:23AM 17 CISCO OPERATING SYSTEMS, CORRECT?

10:23AM 18 A. THAT'S CORRECT.

10:23AM 19 Q. NOW ISN'T IT TRUE, THOUGH, SIR, THAT YOU DON'T THINK THAT
10:23AM 20 NX-OS IS AN INDUSTRY STANDARD OPERATING SYSTEM?

10:23AM 21 A. AT THAT TIME, CORRECT, IT WASN'T INDUSTRY STANDARD.

10:23AM 22 Q. OKAY. SO NX-OS NOT AN INDUSTRY STANDARD OPERATING SYSTEM?

10:23AM 23 A. IT WAS NOT AS COMMONLY USED AS IOS. AND NX-OS WAS
10:23AM 24 INTRODUCED MAYBE AROUND 2008 BY CISCO, IT WAS JUST ONE YEAR
10:23AM 25 INTO THE LIFE OF THE PRODUCT.

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

11:07AM 1 EVIDENCE, YOUR HONOR.

11:07AM 2 THE COURT: ANY OBJECTION?

11:07AM 3 MR. FERRALL: NO OBJECTION.

11:07AM 4 THE COURT: IT WILL BE ADMITTED.

11:07AM 5 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER 404, HAVING BEEN
11:07AM 6 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
11:07AM 7 EVIDENCE.)

11:07AM 8 BY MR. NELSON:

11:07AM 9 Q. SO LET'S LOOK AT MIDDLE OF THE PAGE. SO MR. FOSS FIRST,
11:07AM 10 CAN YOU TELL US WHO MR. FOSS IS?

11:07AM 11 A. AT THAT TIME MARK FOSS WAS RESPONSIBLE FOR PARTNER OR
11:07AM 12 CHANNEL PROGRAMS AT ARISTA.

11:07AM 13 Q. PARTNER CHANNEL PROGRAMS?

11:07AM 14 A. CHANNEL PROGRAMS, YES.

11:07AM 15 Q. SO IF YOU LOOK AT THE MIDDLE OF THE E-MAIL THE ONE THAT'S
11:08AM 16 FROM MR. FOSS TO THE PEOPLE AT FACEBOOK.

11:08AM 17 DO YOU SEE THAT?

11:08AM 18 A. YES.

11:08AM 19 Q. IT SAYS, AS I MENTIONED TO DAN LAST NIGHT, THE CLI COMMANDS
11:08AM 20 IN OUR SWITCH ARE IDENTICAL TO CISCO IOS SO THERE SHOULD BE NO
11:08AM 21 LEARNING CURVE TO GET IT CONFIGURED.

11:08AM 22 DO YOU SEE THAT?

11:08AM 23 A. YES.

11:08AM 24 Q. SO THAT'S SOMETHING THAT ARISTA SALES ENGINEERS WERE OUT
11:08AM 25 TELLING CUSTOMERS IS A SELLING POINT OF THE ARISTA SWITCH,

DIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

11:08AM 1

CORRECT?

11:08AM 2

A. WE WERE SAYING THAT TO CUSTOMERS, YES.

11:08AM 3

Q. RIGHT. WE'RE IDENTICAL TO CISCO IOS SO YOU WON'T HAVE ANY

11:08AM 4

LEARNING CURVE TO USE OUR PRODUCT, CORRECT?

11:08AM 5

A. THAT'S RIGHT.

11:08AM 6

Q. SO EXHIBIT 379, AND LET ME KNOW WHEN YOU ARE THERE. ARE

11:09AM 7

YOU THERE, SIR?

11:09AM 8

A. YES.

11:09AM 9

Q. SO THE TOP E-MAIL IS FROM MR. ADAM SWEENEY TO MR. SUNEEL

11:09AM 10

VENATI, DID I GET THAT NAME RIGHT?

11:09AM 11

A. THAT'S RIGHT.

11:09AM 12

Q. AND YOU ARE ONE OF THE COPIES ON THAT E-MAIL, CORRECT?

11:09AM 13

A. CORRECT.

11:09AM 14

Q. AND THE SUBJECT OF THAT IS QOS, CLI; IS THAT RIGHT?

11:09AM 15

A. THAT'S RIGHT.

11:09AM 16

Q. AND QS, THAT STANDS FOR QUALITY OF SERVICE?

11:09AM 17

A. YES.

11:09AM 18

Q. NOW, THAT TOP LEVEL E-MAIL ATTACHES ANOTHER E-MAIL FROM

11:09AM 19

MR. VENATI; IS THAT RIGHT? IN OTHER WORDS IF YOU FOLLOW THE

11:09AM 20

STRING DOWN YOU WILL SEE ANOTHER E-MAIL FROM MR. VENATI DATED

11:09AM 21

MONDAY PRINCIPAL 18TH 2011?

11:09AM 22

A. YES.

11:09AM 23

Q. AND THE --

11:10AM 24

MR. NELSON: WELL AT THIS POINT, YOUR HONOR, I MOVE

11:10AM 25

INTO EVIDENCE EXHIBIT 379.

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:16AM 1 WAS, THAT VERY ONE PRODUCT WE HAD AND WE HAD STARTED IT FOR THE
11:16AM 2 TESTING, THAT WAS THE CONTEXT OF THE DISCUSSION.

11:16AM 3 Q. AND APPROXIMATELY HOW MANY CLI COMMANDS DID THE ARISTA EOS
11:16AM 4 HAVE AT THAT TIME?

11:16AM 5 A. PROBABLY 10 OR 20.

11:16AM 6 Q. AND THOSE WERE IOS-LIKE, I TAKE IT?

11:16AM 7 A. AT THAT TIME, THE COMMAND LINE WAS IOS-LIKE, YES.

11:17AM 8 Q. OKAY. I NEXT WANT TO MOVE TO THE DOCUMENT THAT WAS JUST
11:17AM 9 MARKED AS -- FOR REFRESHING YOUR RECOLLECTION REGARDING
11:17AM 10 ARISTA'S R&D EXPENSE?

11:17AM 11 A. YES.

11:17AM 12 Q. AND IF YOU DON'T NEED TO REFER TO IT, YOU DON'T HAVE TO.
11:17AM 13 BUT WHAT I WOULD LIKE YOU TO DO IS TO TELL THE JURY ABOUT HOW
11:17AM 14 MUCH ARISTA HAS SPENT IN R&D, SINCE 2007.

11:17AM 15 MR. NELSON TOOK YOU TO 2007, CAN YOU TELL THE JURY HOW MUCH
11:17AM 16 YOU SPENT AFTER THAT?

11:17AM 17 A. WELL, AS THE DOCUMENT SHOWS, UP UNTIL 2014, CUMULATIVE WE
11:17AM 18 HAD SPENT 376 MILLION IN R&D.

11:17AM 19 AND TODAY ARISTA HAS ONE OF THE HIGHEST R&D SPENT IN THE
11:17AM 20 INDUSTRY AS A PERCENTAGE OF REVENUE.

11:18AM 21 Q. CAN YOU TELL ME ABOUT WHAT THAT IS?

11:18AM 22 A. TODAY WE ARE ROUGHLY 20 TO 22 PERCENT OF OUR REVENUE IN
11:18AM 23 R&D, WHEREAS IN THE NETWORKING, MOST COMPANIES SPEND 13 TO
11:18AM 24 15 PERCENT OF THEIR REVENUE IN R&D. SO WE HAVE A SIGNIFICANTLY
11:18AM 25 LARGER INVESTMENT IN RESEARCH AND DEVELOPMENT COMPARED TO THE

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:18AM 1

INDUSTRY.

11:18AM 2

Q. OKAY. SHIFTING TO ANOTHER TOPIC.

11:18AM 3

DID YOU EVER BELIEVE, MR. SADANA, THAT THERE WAS ANYTHING

11:18AM 4

WRONG WITH ARISTA USING SOME OF THE SAME CLI COMMAND LANGUAGE

11:18AM 5

AS IOS?

11:18AM 6

A. NO, I DID NOT.

11:18AM 7

Q. DID YOU EVER TRY TO HIDE FROM THE PUBLIC THE FACT THAT

11:18AM 8

ARISTA USES SOME OF THE SAME CLI COMMAND LANGUAGE AS IOS?

11:18AM 9

A. NO, WE DID NOT HIDE IT. WE WERE QUITE OPEN ABOUT IT.

11:19AM 10

Q. LET'S LOOK AT SOME OF THE DOCUMENTS THAT MR. NELSON

11:19AM 11

INTRODUCED THROUGH YOU. AND I'M GOING TO START WITH ONE OF THE

11:19AM 12

LAST ONES AND KIND OF GO BACKWARDS.

11:19AM 13

IF YOU COULD LOOK AT EXHIBIT 842, PLEASE. MR. NELSON HAD

11:19AM 14

DIRECTED YOU TO A COMMENT FROM A MR. WHITNEY ON THE SECOND

11:19AM 15

PAGE. IF WE COULD LOOK AT THAT. IT'S THE COMMENT AT THE TIME,

11:19AM 16

MARCH 3RD, 2014, AT 6:47 P.M.

11:19AM 17

MR. SADANA, WHAT DID YOU UNDERSTAND MR. WHITNEY TO BE

11:19AM 18

REFERRING TO HERE?

11:19AM 19

A. MR. WHITNEY CAME TO ARISTA FROM JUNIPER, SO HE HAD JUNOS

11:20AM 20

BACKGROUND. HE'S REFERRING TO A PARTICULAR WAY OF CONFIGURING

11:20AM 21

QOS FEATURES IN JUNOS.

11:20AM 22

Q. AND THE SUBJECT LINE OF THIS -- STRIKE THAT. WHAT WAS --

11:20AM 23

WHAT WAS MR. WHITNEY REFERRING TO, BASED UPON YOUR

11:20AM 24

UNDERSTANDING, WHEN HE REFERS TO COPYING CISCO?

11:20AM 25

A. HE WAS REFERRING TO THE CLI COMMANDS.

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:20AM 1 Q. OKAY. AND IF WE COULD LOOK AT THE FRONT PAGE OF THIS
11:20AM 2 EXHIBIT, AND IF WE COULD JUST BLOW UP THE HEADER WITH THE
11:20AM 3 SUBJECT LINE.

11:20AM 4 CAN YOU TELL ME WHAT THE SUBJECT OF THIS E-MAIL EXCHANGE
11:20AM 5 IS? IN SIMPLE TERMS, IF POSSIBLE, PLEASE.

11:20AM 6 A. SURE. THIS IS A REQUEST FOR A FEATURE ENHANCEMENT, RFEE
11:21AM 7 BY SOMEONE IN THIS E-MAIL CHAIN REQUESTING AN MQC OR MODULAR
11:21AM 8 QOS-LIKE CLI.

11:21AM 9 Q. OKAY. AND NOW I WOULD LIKE YOU TO TURN TO EXHIBIT 379. IF
11:21AM 10 WE COULD CALL THAT UP, AND IN PARTICULAR HIGHLIGHT THE BOTTOM
11:21AM 11 PART, THE MESSAGE DATED 2:20 A.M.

11:21AM 12 A. MR. SUNEEL WORKS IN THE BANGALORE OFFICE.

11:21AM 13 Q. SO THIS -- CAN YOU TELL ME WHAT THE SUBJECT, AGAIN, IN
11:21AM 14 SIMPLE TERMS, IF POSSIBLE, WHAT THE SUBJECT OF THIS
11:21AM 15 CONVERSATION WAS?

11:22AM 16 A. MR. SUNEEL WAS IMPLEMENTING OUR QOS FEATURES AT THAT POINT,
11:22AM 17 AND HE WAS ASKING FOR INPUT ON WHAT CLI TO USE, WHETHER TO USE
11:22AM 18 SIMPLE CLI OR MODULAR QOS CLI.

11:22AM 19 Q. AND WHAT DID ARISTA END UP USING, DID IT USE THE CISCO MQC
11:22AM 20 KIND?

11:22AM 21 A. NO, WE DID NOT IMPLEMENT THE MQC CLI, WE STAYED WITH THE
11:22AM 22 SIMPLE CLI.

11:22AM 23 Q. AND IN YOUR MIND, WERE THERE ANY COPYRIGHT ISSUES WITH THE
11:22AM 24 SIMPLE CLI OR THE CLI THAT ARISTA IMPLEMENTED?

11:22AM 25 A. NO, WE BELIEVED THIS WAS THE INDUSTRY STANDARD, EVERYONE

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:22AM 1 WAS USING IT, WE WERE USING THE SAME CLI.

11:22AM 2 Q. LET'S TURN NEXT TO EXHIBIT 197. AND YOU RECALL MR. NELSON
11:23AM 3 ASKED YOU QUITE A FEW QUESTIONS ABOUT THIS EXHIBIT?

11:23AM 4 A. YES.

11:23AM 5 Q. AND I THINK YOU SAID IN YOUR TESTIMONY, YOU REFERRED TO
11:23AM 6 SOMETHING CALLED ACLS; IS THAT RIGHT?

11:23AM 7 A. THAT'S RIGHT.

11:23AM 8 Q. AND IN PARTICULAR, ACL CONFIGURATION, I THINK?

11:23AM 9 A. YES.

11:23AM 10 Q. WE WON'T NEED TO GO INTO THE DETAILS OF WHAT THOSE ARE, BUT
11:23AM 11 CAN YOU TELL THE JURY WHAT THE OUTCOME WAS OF THIS DISCUSSION
11:23AM 12 REGARDING THE ACL CONFIGURATION THAT ARISTA WOULD USE?

11:23AM 13 A. RIGHT. THIS E-MAIL CHAIN WAS ONLY PART OF THE DISCUSSION.
11:23AM 14 WE WERE A SMALL COMPANY, SO WE HAD A MEETING TO GO OVER WHAT
11:23AM 15 CLI TO USE.

11:23AM 16 AND AT THAT POINT, JUNIPER ACTUALLY HAD A BETTER WAY OF
11:23AM 17 CONFIGURING ACL A FEATURE CALLED ACL COMMIT. SO THAT IF YOU
11:24AM 18 ARE MAKING CHANGES TO THE NETWORK, YOU CANNOT OPEN A SECURITY
11:24AM 19 HOLE WHILE YOU ARE MAKING THE CHANGE.

11:24AM 20 AND THEN AFTER THAT DISCUSSION, WE ACTUALLY ENDED UP DOING
11:24AM 21 WHAT JUNIPER HAD ALREADY IMPLEMENTED AND WHAT WAS ORIGINALLY
11:24AM 22 ASKED FROM EOS. WE ACTUALLY DID NOT END UP WITH CISCO CLI FOR
11:24AM 23 THAT FUNCTIONALITY.

11:24AM 24 Q. AND HOW, IN YOUR VIEW, WAS THAT IMPLEMENTATION DIFFERENT
11:24AM 25 FROM CISCO IN TERMS OF ITS PERFORMANCE FOR THE USER?

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:38AM 1 CLEARLY HIGHLIGHT THAT EMPLOYEES SHOULD NOT BRING ANY IP OR
11:38AM 2 CONFIDENTIAL INFORMATION FROM THE OUTSIDE.

11:38AM 3 IN ADDITION TO THAT, THERE'S A NEW HIRE GUIDE THAT WE REFER
11:38AM 4 OUR EMPLOYEES TO, AND ESPECIALLY IN THE EARLY DAYS, THE ENTIRE
11:38AM 5 COMPANY, BUT TODAY IT'S MORE FOR THE ENGINEERING TEAM, THAT
11:38AM 6 CLEARLY STATES, DO NOT BRING ANY SOURCE CODE OR ANY
11:38AM 7 CONFIDENTIAL INFORMATION FROM OUTSIDE.

11:38AM 8 AND LASTLY, WE ALSO HAVE A SEPARATE CODE OF CONDUCT POLICY
11:39AM 9 THAT THE EMPLOYEE HAS TO SIGN. AND THIS IS CLEARLY HIGHLIGHTED
11:39AM 10 IN THAT AS WELL.

11:39AM 11 Q. NOW WITH REGARD TO THE TWO DOCUMENTS MR. NELSON SHOWED YOU,
11:39AM 12 CAN YOU EXPLAIN THE CIRCUMSTANCES IN WHICH THESE MATERIALS WERE
11:39AM 13 FOUND ON YOUR GOOGLE DRIVE, AS YOU TESTIFIED?

11:39AM 14 A. SURE. THE DOCUMENTS WERE FOUND AS PART OF THE
11:39AM 15 INVESTIGATION FOR THIS LITIGATION ON MY GOOGLE DRIVE. BUT THEY
11:39AM 16 WERE FOUND IN THE DELETED FOLDER.

11:39AM 17 Q. SO HOW DID THEY GET IN THE DELETED FOLDER, IF YOU KNOW?

11:39AM 18 A. AS I MENTIONED, WE GENERALLY TELL EVERYONE NOT TO HAVE ANY
11:39AM 19 CONFIDENTIAL MATERIAL, AND AT ONE POINT I DISCOVERED THAT THESE
11:39AM 20 FILES EXISTED IN MY GOOGLE DRIVE. SO I WENT AND I DELETED
11:40AM 21 THEM. THIS WAS AROUND JUNE OF 2013, NOTHING TO DO WITH THIS
11:40AM 22 PARTICULAR CASE.

11:40AM 23 AND WHILE I DELETED THE FILES, THE WAY GOOGLE DRIVE WORKS
11:40AM 24 IS THAT THE FILES REMAIN IN THE TRASH PERMANENTLY UNTIL YOU GO
11:40AM 25 AHEAD AND CLEAR IT OUT. I NEVER LOOKED AT IT. AND IN THE

CROSS-EXAMINATION OF MR. SADANA BY MR. FERRALL

11:40AM 1 SEARCH, THEY SHOWED UP IN THAT DELETED FOLDER.

11:40AM 2 Q. DID YOU EVER USE ANY OF THOSE DOCUMENTS?

11:40AM 3 A. NO, WE NEVER USED THESE DOCUMENTS AT ARISTA.

11:40AM 4 Q. AND I THINK ONE OF THEM JUST SHOWED THE COVER, WAS FOR

11:40AM 5 SOMETHING -- WE COULD CALL IT UP, IT'S SOMETHING CALLED A CFP

11:40AM 6 TRANSCEIVER, THAT'S I THINK EXHIBIT 381?

11:40AM 7 A. RIGHT.

11:40AM 8 Q. DOES ARISTA MAKE CFP TRANSCEIVERS?

11:41AM 9 A. NO, WE DON'T.

11:41AM 10 Q. NOW I WANT TO LOOK AT ONE MORE DOCUMENT AND THEN WE ARE

11:41AM 11 DONE.

11:41AM 12 MR. NELSON ASKED YOU FOR EXHIBIT 388, IF YOU COULD OPEN

11:41AM 13 THAT UP. AND COULD YOU EXPLAIN TO THE JURY AGAIN WHAT THE

11:41AM 14 PURPOSE OF THIS DOCUMENT IS? OR WAS?

11:41AM 15 A. THIS IS THE DOCUMENT PREPARED TO EDUCATE OUR SALES TEAM ON

11:41AM 16 NEW PRODUCTS CISCO HAD JUST ANNOUNCED ON WHAT THIS ANNOUNCEMENT

11:41AM 17 WAS AND HOW THEY COULD COMPETE WITH THOSE PRODUCTS.

11:41AM 18 Q. AND WHAT WAS THE CISCO ANNOUNCEMENT REFERRING TO HERE?

11:42AM 19 A. THIS TALKS ABOUT THE CISCO NEXUS 9000 SERIES OR THE INSIEME

11:42AM 20 PRODUCTS THAT WERE JUST ACQUIRED IN THAT COMPANY AND RELEASED

11:42AM 21 THEIR PRODUCTS.

11:42AM 22 Q. I'M SORRY, JUST TO BE CLEAR, CAN YOU EXPLAIN THAT INSIEME

11:42AM 23 IS, TO YOUR KNOWLEDGE?

11:42AM 24 A. INSIEME IS A GROUP THAT WAS FOUNDED AND FUNDED BY CISCO,

11:42AM 25 BUT AS A SEPARATE COMPANY, VERY MUCH FOCUSED TO COMPETE WITH

REDIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

11:44AM 1

OPERATING SYSTEM.

11:44AM 2

Q. AND WHAT WERE THE HIGHLIGHTS, IN ARISTA'S VIEW, OF THIS

11:45AM 3

COMPARISON?

11:45AM 4

A. I THINK THE KEY MESSAGE HERE WAS THAT FOR THE IMPORTANT

11:45AM 5

ATTRIBUTES TO THE CUSTOMER, BE IT NUMBER OF PORTS, OR BE IT

11:45AM 6

POWER CONSUMPTION OR BE IT PROGRAMMABILITY, IN EACH OF THE

11:45AM 7

DIMENSIONS, ARISTA HAD AN OFFERING THAT WAS SIGNIFICANTLY

11:45AM 8

BETTER THAN CISCO'S. HENCE, THE CONCLUSION ON THE SLIDE THAT

11:45AM 9

ARISTA LEADS IN PORT DENSITY, POWER EFFICIENCY AND

11:45AM 10

PROGRAMMABILITY.

11:45AM 11

Q. AND HOW WOULD THE INFORMATION, AS SHOWN ON THIS CHART, BE

11:45AM 12

USED BY ARISTA?

11:45AM 13

A. THIS PRESENTATION WAS PREPARED TO EDUCATE OUR SALES TEAM,

11:45AM 14

BUT THEN OUR SALES TEAM WOULD TAKE SUCH A SLIDE AND SHOW IT TO

11:45AM 15

THE CUSTOMER. SO IT'S A CUSTOMER PRESENTATION, ESSENTIALLY.

11:45AM 16

Q. AND DO ANY OF THE FACTORS OR FEATURES THAT YOU'RE

11:46AM 17

HIGHLIGHTING HERE IN THIS CHART, DO THEY REFER TO THE CLI?

11:46AM 18

A. NO, THEY DO NOT.

11:46AM 19

MR. FERRALL: NO FURTHER QUESTIONS.

11:46AM 20

THANK YOU, MR. SADANA.

11:46AM 21

THE COURT: MR. NELSON, DO YOU HAVE SOME FOLLOW UP?

11:46AM 22

MR. NELSON: JUST A LITTLE BIT, YOUR HONOR.

11:46AM 23

THE COURT: OKAY.

11:46AM 24

11:46AM 25

REDIRECT EXAMINATION BY MR. NELSON

REDIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

11:51AM 1 Q. SO WOULD YOU SAY CLOUD COMPUTING IS A DIFFERENT VERTICAL
11:51AM 2 MARKET THAN DATA CENTERS?

11:51AM 3 A. DATA CENTER SWITCHING IS THE ENTIRE MARKET.

11:51AM 4 Q. OKAY. NOW MY QUESTION IS, YOU'VE TOLD US ABOUT JUNOS BEING
11:51AM 5 AN INDUSTRY STANDARD IN A CERTAIN VERTICAL MARKET AND YOU THINK
11:51AM 6 IOS IS AN INDUSTRY STANDARD IN A DIFFERENT VERTICAL MARKET.

11:51AM 7 DO YOU THINK ARISTA EOS IS AN INDUSTRY STANDARD IN ANY
11:51AM 8 VERTICAL MARKET AT ALL?

11:51AM 9 A. I THINK TODAY IN THE CLOUD IT IS.

11:51AM 10 Q. OKAY. SO ARISTA NOW IS, YOU SAY IS AN INDUSTRY STANDARD AS
11:51AM 11 WELL, RIGHT?

11:51AM 12 A. IN THE CLOUD, YES.

11:51AM 13 Q. OKAY. SO THAT'S THREE THAT WE HAVE. AND THAT'S, THAT'S
11:52AM 14 JUST BECAUSE YOU SAY IT'S THE MOST POPULAR IN THE CLOUD,
11:52AM 15 CORRECT?

11:52AM 16 A. WHAT DO YOU MEAN BY THAT'S THREE? BY THREE YOU MEAN JUNOS,
11:52AM 17 IOS AND EOS?

11:52AM 18 Q. CORRECT. THAT'S THREE THAT YOU'VE SAID ARE INDUSTRY
11:52AM 19 STANDARDS, RIGHT?

11:52AM 20 A. EOS ARE ARISTA PRODUCTS ARE NOW VERY POPULAR WITH CLOUD
11:52AM 21 COMPANIES AND IN THAT PERSPECTIVE, YOU COULD SAY YES EOS WAS
11:52AM 22 BEFORE OR RATHER THE INDUSTRY STANDARD IN THAT WAY.

11:52AM 23 Q. RIGHT. SO WHAT YOU ARE SAYING IS IT'S THE MOST POPULAR
11:52AM 24 WITH CUSTOMERS, RIGHT, THAT'S WHAT YOU ARE SAYING, WHEN YOU ARE
11:52AM 25 USING THE TERM INDUSTRY STANDARD?

REDIRECT EXAMINATION OF MR. SADANA BY MR. NELSON

11:52AM 1

A. THAT'S CORRECT.

11:52AM 2

MR. NELSON: THANK YOU, SIR. I DON'T HAVE ANY

11:52AM 3

FURTHER QUESTIONS FOR YOU.

11:52AM 4

MR. FERRALL: NO FURTHER QUESTIONS.

11:52AM 5

THE COURT: THANK YOU.

11:52AM 6

ALL RIGHT. MR. SADANA, THANK YOU FOR YOUR TESTIMONY. YOU

11:53AM 7

ARE FREE TO GO.

11:53AM 8

MR. NELSON, YOUR NEXT WITNESS?

11:53AM 9

MR. NELSON: YES, YOUR HONOR.

11:53AM 10

AT THIS POINT WE CALL MR. CHARLES GIANCARLO.

11:53AM 11

MR. FERRALL: BEFORE WE BRING MR. GIANCARLO IN,

11:53AM 12

YOUR HONOR, COULD WE HAVE A SIDEBAR REGARDING INSTRUCTIONS?

11:53AM 13

THE COURT: OF COURSE. SURE. YEAH.

11:53AM 14

(SIDEBAR DISCUSSION ON THE RECORD.)

11:53AM 15

THE COURT: SO IS THERE AN INSTRUCTION?

11:53AM 16

MR. FERRALL: I THINK, WE HAD IT STIPULATED WE FILED

11:53AM 17

IT LAST NIGHT, WE'VE GOT A COPY.

11:53AM 18

THE COURT: I PRINTED IT OUT AND I DON'T THINK I

11:53AM 19

BROUGHT IT, SO THANK YOU. LET ME JUST TAKE A LOOK. OH, THAT'S

11:54AM 20

IT. GREAT. GOOD. AND IT'S AGREED TO, I CAN READ IT?

11:54AM 21

MR. NELSON: YEAH, THAT'S FINE.

11:54AM 22

THE COURT: JUST AFTER HE TAKES HIS OATH.

11:54AM 23

MR. NELSON: I BELIEVE SO.

11:54AM 24

MR. FERRALL: YES.

11:54AM 25

THE COURT: IS MR. GIANCARLO IN THE COURTROOM?

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

01:52PM 1 AND WHAT DOES THAT SAY?

01:52PM 2 A. IT SAYS INCREASING ENTERPRISE SALES, LOW COST ALTERNATIVE,

01:52PM 3 "SAME AS CISCO," COPIES CLI FROM IOS.

01:52PM 4 Q. ARE YOU SURPRISED, AS YOU SIT HERE TODAY, TO SEE A CISCO

01:52PM 5 DOCUMENT REFERRING TO A COMPANY COPYING CLI FROM IOS?

01:52PM 6 A. NO.

01:52PM 7 Q. WHY IS THAT?

01:52PM 8 A. AS I SAID, FROM THE MID TO LATE 90'S ON, THERE WERE A

01:52PM 9 NUMBER OF COMPETITORS THAT HAD VERY SIMILAR COMMAND LINES, IF

01:52PM 10 NOT IN MANY CASES, NOT FULLY, BUT PARTIALLY IDENTICAL TO

01:53PM 11 CISCO'S COMMAND LINE COMMANDS.

01:53PM 12 Q. DID YOU EVER URGE CISCO TO CALL UP FOUNDRY AND TELL THEM

01:53PM 13 THEY CAN'T COPY CLI FROM IOS?

01:53PM 14 A. NO.

01:53PM 15 Q. WHY NOT?

01:53PM 16 A. WE -- IT WAS OUR UNDERSTANDING, AGAIN, FROM THE LATE 90'S

01:53PM 17 ON, THAT THE CLI COMMANDS WERE NOT PROTECTABLE.

01:53PM 18 Q. AND WHAT WAS THAT UNDERSTANDING BASED ON?

01:53PM 19 A. GENERAL KNOWLEDGE, COMMENTS FROM SENIOR MANAGEMENT AT CISCO

01:53PM 20 THAT CLI COMMANDS THEMSELVES WERE NOT PROTECTABLE.

01:53PM 21 Q. NOW LET ME TURN TO THE DISPUTE WITH HUAWEI, EXPLORE THAT A

01:53PM 22 LITTLE BIT MORE.

01:53PM 23 CAN WE BACK UP A LITTLE BIT AND EXPLAIN TO THE JURY THE

01:54PM 24 CIRCUMSTANCES THAT LEAD CISCO TO ULTIMATELY SUE HUAWEI.

01:54PM 25 A. YES. EARLY IN THE 2000-DECADE, 2000, 2001, ROUGHLY AROUND

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

01:54PM 1 THAT TIME PERIOD, IT HAD COME TO OUR ATTENTION NATURALLY
01:54PM 2 THROUGH OUR SALES FORCE THAT HUAWEI WAS SELLING A SET OF
01:54PM 3 ROUTERS, ACTUALLY ACCESS ROUTERS IN CHINA THAT WERE LITERALLY
01:54PM 4 IDENTICAL TO CISCO PRODUCTS, I MEAN, WHEN YOU LOOKED AT THEM,
01:54PM 5 THEY LOOKED EXACTLY THE SAME, IN ADDITION TO THE WAY THEY
01:54PM 6 FUNCTIONED.

01:54PM 7 SO AS YOU MIGHT EXPECT, AND LIKE EVERY OTHER COMPETITOR, WE
01:54PM 8 BOUGHT SOME OF THOSE PRODUCTS, TOOK THEM IN HOUSE AND STARTED
01:54PM 9 DOING THIS COMPETITIVE TESTING ON IT.

01:54PM 10 AND WHAT WE DISCOVERED WAS NOT ONLY DID THEY LOOK LIKE OUR
01:54PM 11 PRODUCTS BUT THEY ACTED ALMOST IDENTICAL TO OUR PRODUCTS, IN
01:54PM 12 FACT, THEY HAD SOMETHING WE LEARNED OVER TIME IN TESTING WHICH
01:54PM 13 WE CALL BUG COMPATIBILITY, MEANING THEY WERE NOT ONLY THE SAME
01:54PM 14 AS OUR PRODUCTS, BUT THEY HAD EXACTLY THE SAME BUGS THAT OUR
01:55PM 15 PRODUCTS HAD.

01:55PM 16 AND IF YOU ARE ANOTHER MANUFACTURER, YOU DON'T COPY BUGS.
01:55PM 17 IF YOU ARE WRITING YOUR OWN SOFTWARE, YOU ARE NOT COPYING BUGS.
01:55PM 18 SO FOR US IT BECAME CLEAR, AND ESPECIALLY AFTER MORE TESTING,
01:55PM 19 THAT THEY HAD COPIED OUR SOFTWARE.

01:55PM 20 AND SO STARTING, I BELIEVE IN 2001, POSSIBLY EARLY 2002, I
01:55PM 21 STARTED MAKING A NUMBER OF TRIPS TO CHINA, FIRST WITH THE
01:55PM 22 CHINESE AUTHORITIES MINISTRY OF INDUSTRY AND OTHERS, AND THEN
01:55PM 23 EVENTUALLY -- WELL, I MET WITH THEM, THEY URGED ME TO SPEAK
01:55PM 24 WITH HUAWEI ABOUT THIS.

01:55PM 25 Q. AND LET ME JUST STOP YOU BEFORE WE GO THERE, DID CISCO EVER

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

01:55PM 1 COME TO LEARN APPROXIMATELY HOW MUCH OF ITS SOURCE CODE HUAWEI
01:55PM 2 HAD COPIED?

01:55PM 3 A. WE BELIEVED SUBSTANTIALLY ALL, CERTAINLY MORE THAN
01:55PM 4 90 PERCENT. MINOR MODIFICATIONS.

01:56PM 5 Q. YOU MADE SOME TRIPS TO ASIA FOR THIS?

01:56PM 6 A. YES.

01:56PM 7 Q. AND WHO WENT WITH YOU ON THOSE TRIPS TO ASIA?

01:56PM 8 A. WELL, IT WAS SEVERAL DIFFERENT TRIPS. AND SEVERAL
01:56PM 9 DIFFERENT PEOPLE AT DIFFERENT TIMES. BUT GENERAL COUNSEL AT
01:56PM 10 TIMES, THEY HAD STRATEGY AT TIMES, CERTAINLY THE HEAD OF CHINA
01:56PM 11 AND ASIA.

01:56PM 12 Q. AND WHAT WERE THE RESULTS OF THOSE VARIOUS TRIPS TO ASIA?

01:56PM 13 A. WHEN I MET WITH THE CHINESE AUTHORITIES THEY ENCOURAGED ME
01:56PM 14 OVER TIME -- THEIR FIRST ASSERTION WAS THAT THEY BELIEVED VERY
01:56PM 15 MUCH IN PROTECTING INTELLECTUAL PROPERTY AND THEY WANTED US TO
01:56PM 16 KNOW THAT THEY WOULD BE SUPPORTIVE OF PROTECTION OF OUR
01:56PM 17 INTELLECTUAL PROPERTY. THEY ENCOURAGED US TO SPEAK WITH HUAWEI
01:56PM 18 DIRECTLY.

01:56PM 19 WE SET UP SEVERAL MEETINGS WITH HUAWEI IN THEIR HOME CITY,
01:56PM 20 WHICH IS OUTSIDE OF HONG KONG, AND I MET WITH THE CEO, AND THE
01:57PM 21 CHIEF OPERATING OFFICER OF HUAWEI ON TWO OR THREE OCCASIONS IN
01:57PM 22 SHANG ZHEN, WHICH IS THAT CITY OUTSIDE OF HONG KONG, AT WHICH
01:57PM 23 TIME WE BROUGHT TO THEIR ATTENTION THE FACT THAT WE BELIEVE
01:57PM 24 STRONGLY THAT THEY HAD COPIED OUR SOURCE CODE.

01:57PM 25 Q. AND WERE YOU ABLE TO REACH ANY RESOLUTION WITH HUAWEI?

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

01:57PM 1 A. UNFORTUNATELY NOT. THEY DENIED USE OF ANY OF OUR SOURCE
01:57PM 2 CODE.
01:57PM 3 Q. NOW IN THOSE MEETINGS THAT YOU HAD WITH HUAWEI, DID YOU
01:57PM 4 EVER DEMAND THAT HUAWEI CHANGE ITS CLI COMMANDS?
01:57PM 5 A. NO. THE FOCUS WAS ON THEM STOPPING USE OF OUR SOURCE CODE.
01:57PM 6 Q. IN YOUR VIEW, WOULD YOU HAVE URGED CISCO TO FILE A LAWSUIT
01:57PM 7 AGAINST HUAWEI IF THE ONLY THING YOU SAW THAT WAS SIMILAR WERE
01:57PM 8 CLI COMMANDS?
01:57PM 9 A. NO.
01:57PM 10 Q. NOW I WANT TO ASK YOU A COUPLE OF QUESTIONS ABOUT YOUR
01:58PM 11 DECLARATION. DID YOU WRITE THE DECLARATION THAT CISCO SHOWED
01:58PM 12 YOU AND ASKED YOU ABOUT?
01:58PM 13 A. I DID NOT.
01:58PM 14 Q. WHO DID?
01:58PM 15 A. CISCO ATTORNEYS.
01:58PM 16 Q. DID YOU DECIDE WHAT TO PUT INTO THAT DECLARATION?
01:58PM 17 A. I DID NOT.
01:58PM 18 Q. WHO DECIDED THAT, TO YOUR KNOWLEDGE?
01:58PM 19 A. CISCO ATTORNEYS.
01:58PM 20 Q. I THINK YOU MADE THIS CLEAR, BUT DID YOU HAVE ANY
01:58PM 21 INVOLVEMENT WHATSOEVER IN DECIDING WHAT LEGAL CLAIMS TO BRING
01:58PM 22 AGAINST HUAWEI?
01:58PM 23 A. I DID NOT.
01:58PM 24 Q. LET'S CALL UP THAT EXHIBIT, WHICH IS EXHIBIT 250. AND
01:59PM 25 LET'S FOCUS ON THE BOTTOM LEFT CORNER. YOU ARE AWARE,

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

01:59PM 1 MR. GIANCARLO, THAT THE DECLARATION WAS FILED UNDER SEAL?

01:59PM 2 A. I AM.

01:59PM 3 Q. AND WAS THAT YOUR DECISION?

01:59PM 4 A. NO.

01:59PM 5 Q. WHOSE DECISION WAS THAT?

01:59PM 6 A. CISCO ATTORNEYS, I ASSUME.

01:59PM 7 Q. DO YOU KNOW WHY CISCO CHOSE TO FILE THIS DECLARATION UNDER

01:59PM 8 SEAL?

01:59PM 9 A. I DO NOT.

01:59PM 10 Q. ARE YOU AWARE OF THE DECLARATION EVER BECOMING PUBLIC AFTER

01:59PM 11 THE TIME IT WAS SEALED UNTIL THIS LITIGATION?

01:59PM 12 A. I AM NOT.

01:59PM 13 Q. WHILE AT CISCO, DID YOU EVER SHARE THIS DECLARATION OUTSIDE

01:59PM 14 OF CISCO?

01:59PM 15 A. NO, AND I HAD NO ACCESS TO IT.

01:59PM 16 Q. DID YOU EVER DISCUSS THIS DECLARATION WITH ANYONE OUTSIDE

01:59PM 17 OF CISCO?

01:59PM 18 A. I DID NOT.

01:59PM 19 Q. DID YOU EVER DISCUSS IT WITH ANYONE AT ARISTA?

02:00PM 20 A. NO.

02:00PM 21 Q. HAVE YOU EVER DISCUSSED THE HUAWEI LITIGATION WITH ANYONE

02:00PM 22 AT ARISTA BEFORE THIS LAWSUIT WAS FILED, AT LEAST?

02:00PM 23 A. NO.

02:00PM 24 Q. NOW ONE MORE QUESTION, BACK TO THE COMPETITORS THAT HAD

02:00PM 25 SIMILAR CLI, WAS THERE -- WHAT, IF ANY, BUSINESS REASON DID

CROSS-EXAMINATION OF MR. GIANCARLO BY MR. FERRALL

02:00PM 1 CISCO HAVE FOR NOT CALLING UP COMPANIES LIKE FOUNDRY AND
02:00PM 2 TELLING THEM NOT TO USE OR COPY CISCO'S CLI?

02:00PM 3 A. WELL, AGAIN, IT WAS OUR BELIEF, BASED ON ASSERTIONS WE HAD
02:00PM 4 FROM CISCO MANAGEMENT AND REPEATED OVER AS WE DISCUSSED SUCH
02:00PM 5 THINGS, THAT THE CLI WAS NOT PROTECTABLE.

02:00PM 6 GIVEN IN THE LATE 1990'S, AS I SAID, WE BELIEVED IT WAS NOT
02:00PM 7 PROTECTABLE. WE SAID WELL, IF WE CAN'T PROTECT IT THEN LET'S
02:01PM 8 USE IT, WE MIGHT AS WELL SAY IT'S A STANDARD, IF OTHERS ARE
02:01PM 9 USING IT AS WELL AND CAN CLAIM TO BE, LET'S SAY, STANDARD AND
02:01PM 10 OPEN, WHICH IS AN ADVANTAGE IN AND OF ITSELF

02:01PM 11 Q. WHY IS THAT, WHY WOULD THAT BE AN ADVANTAGE TO CISCO?

02:01PM 12 A. CUSTOMERS, AS YOU MIGHT IMAGINE, DON'T LIKE TO BE LOCKED IN
02:01PM 13 TO A SPECIFIC VENDOR. THEY WANT THE ABILITY TO MIX VENDORS,
02:01PM 14 THEY WANT THE ABILITY IF THEY DON'T LIKE THE VENDOR, TO ONE DAY
02:01PM 15 TO BE ABLE TO MOVE TO ONE VENDOR TO ANOTHER.

02:01PM 16 AND TO THE EXTENT THAT A PRODUCT INTEROPERATES WITH OTHER
02:01PM 17 PRODUCTS, THAT IS MORE OPEN, IT'S MORE STANDARD, IT MAKES IT
02:01PM 18 EASIER FOR CUSTOMERS TO MOVE FROM ONE VENDOR TO ANOTHER VENDOR.

02:01PM 19 AND SO IN SELLING AND MARKETING TO CUSTOMERS, A LOT OF
02:01PM 20 TIMES THEY WANT TO KNOW THAT YOU ARE STANDARD AND OPEN.

02:01PM 21 AND SO BY IDENTIFYING OUR CLI COMMANDS AS BEING STANDARD,
02:02PM 22 INDUSTRY STANDARD, IT INDICATES THAT WE WERE MORE OPEN AND
02:02PM 23 THEREFORE CUSTOMERS WOULD BE MORE COMFORTABLE BUYING FROM US.

02:02PM 24 Q. NOW, YOU STILL KNOW EXECUTIVES AT CISCO, I TAKE IT?

02:02PM 25 A. I DO, YES.

REDIRECT EXAMINATION OF MR. GIANCARLO BY MR. NELSON

02:04PM 1 COMMAND-LINE INTERFACE WAS PROTECTED, CORRECT?

02:04PM 2 A. YES.

02:04PM 3 Q. NOW SIR, I THINK I ASKED YOU THIS QUESTION BEFORE, BUT

02:04PM 4 SINCE 2003, YOU NEVER TOLD ANYONE PUBLICLY THAT YOU DIDN'T

02:04PM 5 ACTUALLY BELIEVE CISCO'S COMMAND-LINE INTERFACE WAS COPYRIGHTED

02:04PM 6 AND PROTECTED, CORRECT?

02:04PM 7 A. I THINK WE ARE USING COMMAND-LINE INTERFACE IN TWO

02:04PM 8 DIFFERENT SENSES, AND IT'S VERY IMPORTANT TO, I THINK,

02:04PM 9 DIFFERENTIATE WHAT COMMAND-LINE INTERFACE MEANS.

02:04PM 10 WHEN YOU TALK TO THE ENGINEERS ABOUT COMMAND-LINE

02:04PM 11 INTERFACE, IT MEANS THE ENTIRE STRUCTURE, IT MEANS ALL THE

02:05PM 12 SOFTWARE THAT GOES INTO MAKING THAT UP, IT MEANS THE PARSER

02:05PM 13 THAT'S INVOLVED IN FILTERING THE COMMAND-LINE INTERFACE

02:05PM 14 COMMANDS, IT MEANS THE RESPONSES THAT THE DIFFERENT MODULES OF

02:05PM 15 IOS PROVIDE BACK TO THE USER, AND IT ALSO MEANS THE COMMANDS

02:05PM 16 THEMSELVES.

02:05PM 17 AND SO WHEN I SAY IT'S A KEY COMPONENT OF CISCO'S

02:05PM 18 COPYRIGHTED PROGRAMS, I ACTUALLY, YOU KNOW, MY INTERPRETATION

02:05PM 19 OF THAT WHEN I SIGNED IT, IS THAT THE PART OF THE SOFTWARE OF

02:05PM 20 IOS SOFTWARE MAKES UP THE COMMAND-LINE INTERFACE.

02:05PM 21 WHEN -- I HAVE, SINCE THE LATE 90'S, UNDERSTOOD, SPOKEN

02:05PM 22 ABOUT AND BELIEVED THAT THE COMMANDS THEMSELVES ARE NOT

02:05PM 23 PROTECTABLE.

02:05PM 24 SO WHEN, YOU KNOW, IT TURNS OUT THAT PEOPLE WILL USE

02:06PM 25 COMMAND-LINE INTERFACE TO MEAN DIFFERENT PARTS OF THAT AT

REDIRECT EXAMINATION OF MR. GIANCARLO BY MR. NELSON

02:06PM 1 DIFFERENT TIMES. WHEN I TALK ABOUT THE COMMAND-LINE INTERFACE,
02:06PM 2 I MEAN ALL OF IT TOGETHER.

02:06PM 3 Q. SIR, YOU DIDN'T SAY ALL THAT TO THE COURT, DID YOU?

02:06PM 4 A. I TRIED TO.

02:06PM 5 Q. AND WE LOOKED TO THE COMPLAINT WHICH YOU SAID YOU
02:06PM 6 UNDERSTOOD THE ALLEGATIONS, AND THE COMPLAINT REFERRED TO THE
02:06PM 7 COMMANDS, CORRECT?

02:06PM 8 A. I CAN'T SPEAK TO THE WAY THE COMPLAINT WAS WRITTEN.

02:06PM 9 Q. BUT YOU REFERRED THE COURT TO THE COMPLAINT. AND YOU
02:06PM 10 DEFINED THE COMMAND-LINE INTERFACE AS BEING THE COMMANDS?

02:06PM 11 A. I DID.

02:06PM 12 Q. AND YOU TOLD THE COURT --

02:06PM 13 A. WELL, NO, NO, NO, TO BE CLEAR, I DID NOT REFER TO THE
02:06PM 14 COMMAND-LINE INTERFACE AS BEING THE COMMANDS. YOU ARE SAYING
02:06PM 15 THE COMPLAINT DID.

02:06PM 16 Q. CORRECT.

02:06PM 17 A. WHICH I DID NOT REVIEW AT THE TIME.

02:06PM 18 Q. AND YOU REFERRED THE COURT TO THE COMPLAINT AND REPRESENTED
02:06PM 19 TO THE COURT THAT YOU UNDERSTOOD THE ALLEGATIONS IN THE
02:06PM 20 COMPLAINT?

02:06PM 21 A. I DID -- I DIDN'T SAY AS TO THE ALLEGATIONS IN THE
02:06PM 22 COMPLAINT, I REFERRED TO THE ALLEGATIONS IN THE COMPLAINT,
02:07PM 23 CORRECT.

02:07PM 24 Q. AND YOU -- YOU WERE THE EXECUTIVE IN CHARGE OF INITIATING
02:07PM 25 AND PURSUING THE LAWSUIT AGAINST HUAWEI, RIGHT?

REDIRECT EXAMINATION OF MR. GIANCARLO BY MR. NELSON

02:07PM 1 A. I WAS.

02:07PM 2 Q. AND YOU UNDERSTOOD, SIR, YOU UNDERSTAND AS PART OF THE

02:07PM 3 RESOLUTION OF THAT HUAWEI CHANGED THEIR COMMANDS, CORRECT?

02:07PM 4 A. I UNDERSTAND THAT, YES.

02:07PM 5 Q. OKAY. SO THEY CHANGED THEIR COMMAND, THAT WAS PART OF THE

02:07PM 6 RESOLUTION OF THE CASE, CORRECT?

02:07PM 7 A. MY GOAL IN THE CASE WAS TO GET THEM TO CHANGE THEIR SOURCE

02:07PM 8 CODE, WHICH THEY DID.

02:07PM 9 Q. SIR, I THINK YOU SAID YOU DON'T THINK YOU WOULD HAVE FILED

02:07PM 10 A CASE IF IT WAS ONLY ABOUT COPYING OF THE COMMAND-LINE

02:07PM 11 INTERFACE, CORRECT?

02:07PM 12 A. IF IT WAS ONLY COPYING OF THE COMMANDS, CORRECT.

02:07PM 13 Q. AND YOU UNDERSTAND IN THIS CASE THERE ARE PATENTS INVOLVED,

02:07PM 14 RIGHT?

02:07PM 15 A. I THINK THIS IS A CLI CASE RIGHT NOW, IN TERMS OF THE OVER

02:07PM 16 ALL DISPUTE, THERE ARE PATENTS INVOLVED, YES.

02:07PM 17 Q. SO THERE ARE OTHER PATENTS THAT ARE BEING ASSERTED -- YOU

02:07PM 18 UNDERSTAND THAT THE INTELLECTUAL PROPERTY ALLEGATIONS ARE NOT

02:07PM 19 LIMITED TO THE COMMAND-LINE INTERFACE, RIGHT?

02:07PM 20 A. YES.

02:07PM 21 Q. MANY PATENTS?

02:07PM 22 A. SEVERAL.

02:08PM 23 Q. OKAY. AND YOU UNDERSTAND THERE'S ACTUALLY IN THIS CASE,

02:08PM 24 ANOTHER PATENT AS WELL, RIGHT?

02:08PM 25 A. ACTUALLY, I'M NOT INVOLVED IN THAT.

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:26PM 1 A. THAT'S CORRECT.

02:26PM 2 Q. AND AGAIN, THAT WOULD BE AN ENGINEER OF DISTINCTION AT

02:26PM 3 ARISTA, CORRECT?

02:26PM 4 A. I GUESS SO.

02:26PM 5 Q. WHEN YOU WERE AT ARISTA, YOU POINTED OUT TO POTENTIAL

02:26PM 6 CUSTOMERS THAT ARISTA'S USER INTERFACE IS JUST LIKE CISCO'S;

02:26PM 7 ISN'T THAT TRUE?

02:26PM 8 A. SURE, YEAH.

02:26PM 9 Q. YOU SAID THAT TO MANY CUSTOMERS, DIDN'T YOU?

02:26PM 10 A. IT'S LIKELY I DID.

02:26PM 11 Q. OKAY. AND YOU ALSO TOLD THOSE SAME CUSTOMERS THAT THEY CAN

02:27PM 12 SAVE RE-TRAINING COSTS AND THEY CAN EASILY ADOPT ARISTA'S

02:27PM 13 NETWORKING EQUIPMENT BECAUSE IT HAS THE SAME USER INTERFACE AS

02:27PM 14 CISCO'S, ISN'T THAT RIGHT?

02:27PM 15 A. THAT'S CORRECT.

02:27PM 16 Q. AND TAKE A LOOK AT, SIR, EXHIBIT 176 IN YOUR BINDER.

02:27PM 17 THIS WAS AN E-MAIL THAT WAS SENT FROM MR. DAVID MCLEOD, TO

02:27PM 18 YOU, MR. DALE, ON OCTOBER 9TH, 2012, WHILE YOU WERE EMPLOYED AT

02:27PM 19 ARISTA NETWORKS, CORRECT?

02:27PM 20 A. THAT'S CORRECT.

02:27PM 21 MR. PAK: YOUR HONOR, I WOULD LIKE TO MOVE

02:27PM 22 EXHIBIT 176 INTO EVIDENCE.

02:27PM 23 MR. SILBERT: NO OBJECTION.

02:27PM 24 THE COURT: IT WILL BE ADMITTED.

02:27PM 25

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:27PM 1 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER 176, HAVING BEEN
02:27PM 2 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
02:27PM 3 EVIDENCE.)

02:27PM 4 BY MR. PAK:

02:27PM 5 Q. SO LET'S TAKE A LOOK AT THE PAGE, THE SECOND PAGE, WHICH
02:27PM 6 HAS THE BATES NUMBER 803, AND WHO WAS MR. MCLEOD AT ARISTA?

02:28PM 7 A. SO DAVID, PER HIS TITLE HERE, WAS SALES SOUTHERN REGION
02:28PM 8 AUSTRALIA, NEW ZEALAND.

02:28PM 9 Q. OKAY. AND YOU WORKED REGULARLY WITH MR. MCLEOD, CORRECT?

02:28PM 10 A. I DID, YES.

02:28PM 11 Q. AND BOTH OF YOU WERE TRYING TO SELL ARISTA EQUIPMENT TO
02:28PM 12 POTENTIAL CUSTOMERS, CORRECT?

02:28PM 13 A. THAT'S CORRECT.

02:28PM 14 Q. SO LET'S TAKE A LOOK AT THE TOP PARAGRAPH. WHAT MR. MCLEOD
02:28PM 15 WROTE IS, IN A QUICK SUMMARY OF OUR VALUE/DIFFERENTIATION, IF
02:28PM 16 YOU ARE LOOKING TO SIMPLIFY OUR NETWORK DESIGN, FUTURE PROOF
02:28PM 17 FOR NEW SERVICES AND REDUCE CAPEX/OPEX OUR SOLUTIONS CAN HELP
02:28PM 18 IN A STORAGE CLOUD ENVIRONMENT.

02:28PM 19 AND CAPEX/OPEX, THOSE ARE EXPENDITURES, CAPITAL
02:29PM 20 EXPENDITURE, OPERATIONAL EXPENDITURE; IS THAT RIGHT?

02:29PM 21 A. I THINK THAT'S FAIR.

02:29PM 22 Q. AND WHAT HE SAYS NEXT IS, ADD IN A CLI IDENTICAL TO CISCO
02:29PM 23 IOS AND WE MAKE IT SIMPLE TO TRANSITION OPERATIONALLY.

02:29PM 24 THAT WAS CONSISTENT WITH YOUR UNDERSTANDING OF ARISTA'S
02:29PM 25 MARKETING PITCH, CORRECT?

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:29PM 1 A. TYPICALLY, I DON'T THINK MARKETING INVOLVED TALKING ABOUT
02:29PM 2 THE COMMAND LINE, IT GENERALLY WASN'T A MAIN SELLING POINT.

02:29PM 3 THAT SAID, FOR SOME CUSTOMERS, WHO MIGHT HAVE BEEN TRAINED
02:29PM 4 ON OTHER DEVICES, IT MIGHT HAVE BEEN IMPORTANT.

02:29PM 5 Q. YOU DON'T DISPUTE THAT ARISTA PEOPLE TALKED TO CUSTOMERS
02:29PM 6 AND SAID THESE VERY SAME THINGS, ADD IN A CLI IDENTICAL TO
02:29PM 7 CISCO IOS AND WE IT MAKE IT SIMPLE TO TRANSITION EXISTING CISCO
02:29PM 8 CUSTOMERS TO ARISTA CUSTOMERS, CORRECT?

02:29PM 9 A. SURE.

02:29PM 10 Q. YOU SAID THOSE THINGS, CORRECT?

02:29PM 11 A. I DON'T KNOW IF I USED THOSE EXACT WORDS, BUT SURE.

02:29PM 12 Q. OKAY. AND YOU KNOW OTHER PEOPLE AT ARISTA USED SIMILAR
02:30PM 13 WORDS TO CONVEY THE SAME MESSAGE, CORRECT?

02:30PM 14 A. YES, IT'S POSSIBLE.

02:30PM 15 Q. AND AS WE DISCUSSED EARLIER, PART OF YOUR JOB AT ARISTA WAS
02:30PM 16 TO GIVE THESE PRESENTATIONS TO INDUSTRY CONFERENCES ABOUT
02:30PM 17 ARISTA'S PRODUCTS, CORRECT?

02:30PM 18 A. THAT'S CORRECT.

02:30PM 19 Q. AND WHEN YOU PRESENTED AT INDUSTRY CONFERENCES TALKING
02:30PM 20 ABOUT ARISTA PRODUCTS AS A DISTINGUISHED ENGINEER, YOU KNEW IT
02:30PM 21 WAS IMPORTANT TO MAKE SURE THAT YOU WERE PRESENTING ACCURATELY,
02:30PM 22 CORRECT?

02:30PM 23 A. I LIKE TO BE ACCURATE, YES.

02:30PM 24 Q. YOU KNOW IT WAS IMPORTANT, CORRECT?

02:30PM 25 A. SURE.

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:34PM 1 MR. PAK: NO, WE ARE STARTING FROM 21 MINUTES INTO
02:34PM 2 THE VIDEO.

02:34PM 3 THE COURT: WE CAN LISTEN TO 21 MINUTES, I JUST
02:34PM 4 WANTED TO KNOW IF I HEARD YOU RIGHT.

02:34PM 5 MR. PAK: I WOULDN'T DO THAT TO US.

02:34PM 6 (WHEREUPON, A VIDEO WAS PLAYED IN OPEN COURT.)

02:34PM 7 Q. I WANT TO GO BACK AND PLAY IT ONE MORE TIME, MR. FISHER.

02:34PM 8 AND THEN MR. FISHER, IF WE COULD BACK UP THERE AND IF YOU
02:34PM 9 COULD PAUSE AT THE LAST FRAME.

02:35PM 10 I WANT TO ASK MR. -- SO AGAIN, MR. DALE, THAT WAS YOU?

02:35PM 11 A. IT'S ME.

02:35PM 12 Q. OKAY. AND AT THE TOP IT SAYS EOS INDUSTRY STANDARD CLI,
02:35PM 13 CORRECT?

02:35PM 14 A. THAT'S RIGHT.

02:35PM 15 Q. AND THEN ON THE LEFT-HAND SIDE IT SAYS, COMMON CLI TOOLS
02:35PM 16 AND WHAT YOU WROTE IN THIS INDUSTRY PRESENTATION IS ARISTA'S
02:35PM 17 CLI COMMANDS, SAME AS CISCO IOS, THAT'S WHAT YOU WROTE AND
02:35PM 18 PRESENTED, CORRECT?

02:35PM 19 A. THAT'S WHAT'S IN THAT SLIDE.

02:35PM 20 Q. AND IF YOU LOOK CAREFULLY SIR AT THE SCREEN, YOU WILL SEE
02:35PM 21 THAT THERE'S A SCREEN OUTPUT; IS THAT CORRECT?

02:35PM 22 A. THAT'S RIGHT.

02:35PM 23 Q. AND WHAT YOU ARE ACTUALLY SHOWING IS A SCREEN SNAPSHOT OF
02:35PM 24 AN ARISTA SWITCH RUNNING SOME COMMANDS AND SCREEN OUTPUTS FROM
02:35PM 25 THAT SWITCH; IS THAT CORRECT?

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:39PM 1 FOR EXAMPLE, THAT WOULD BE AT SLIDE -- THE BATES NUMBER 773, IF
02:39PM 2 YOU LOOK AT THE TOP OF THAT IN YOUR BINDER YOU WILL SEE LINCOLN
02:39PM 3 DALE MACBOOK. DO YOU SEE THAT ENTRY?

02:39PM 4 A. YEAH, I'M NOT SURE WHAT THE QUESTION IS.

02:39PM 5 Q. IS THIS A DOCUMENT THAT CAME FROM YOUR FILES?

02:39PM 6 A. IT LOOKS LIKE IT COULD, SURE.

02:39PM 7 MR. PAK: AND YOUR HONOR, AT THIS POINT I DON'T THINK
02:39PM 8 THERE'S AN OBJECTION. I WOULD LIKE TO MOVE THIS DOCUMENT INTO
02:39PM 9 EVIDENCE AS WELL.

02:39PM 10 MR. SILBERT: NO OBJECTION.

02:39PM 11 THE COURT: IT WILL BE ADMITTED.

02:39PM 12 (WHEREUPON, PLAINTIFF'S EXHIBIT NUMBER 169, HAVING BEEN
02:39PM 13 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO
02:39PM 14 EVIDENCE.)

02:39PM 15 BY MR. PAK:

02:39PM 16 Q. SO IF WE TAKE A LOOK AT THIS DOCUMENT, IT'S A SIMILAR
02:39PM 17 DOCUMENT, IT'S GOT ARISTA REINVENTING DATA CENTER SWITCHING.

02:39PM 18 IF WE JUMP TO THE PAGE ENDING IN 773. THIS IS INTERESTING,
02:39PM 19 SO THIS DOCUMENT THAT YOU ALSO CREATED HAS EOS AT THE TOP, BUT
02:39PM 20 INSTEAD OF INDUSTRY STANDARD CLI IT SAYS OPERATIONAL CLI,
02:40PM 21 DOESN'T IT?

02:40PM 22 A. IT DOES.

02:40PM 23 Q. AND ON THE BOTTOM AT THE LEFT-HAND SIDE IT SAYS ARISTA CLI
02:40PM 24 COMMANDS SAME AS CISCO IOS, CORRECT?

02:40PM 25 A. IT DOES, YES.

DIRECT EXAMINATION OF MR. DALE BY MR. PAK

02:45PM 1 Q. AND HERE YOU RIGHT, HI ARIFF, THAT SOUNDS LIKE AN EXCUSE TO
02:45PM 2 ME. AMAZON USES JUNIPER'S NET CONF AND ARE HAPPY WITH THAT.
02:45PM 3 BUT ON THE CISCO N7K'S, THAT FRONT END, THE JUNIPER MPLS SIDE
02:46PM 4 OF THINGS, THEY USE CLI OVER SSH, EXPECT AND THAT IS THE PLACE
02:46PM 5 IN THE NETWORK THAT IT WOULD BE APPLICABLE TO, NOT THE MPLS
02:46PM 6 JUNIPER SIDE, CORRECT?

02:46PM 7 A. SURE, YEAH.

02:46PM 8 Q. SO WHAT YOU WERE TALKING ABOUT HERE IS A SALES OPPORTUNITY
02:46PM 9 TO AMAZON; IS THAT CORRECT?

02:46PM 10 A. YEAH.

02:46PM 11 Q. OKAY. WHAT YOU WERE SAYING IS THAT AMAZON USES SOME
02:46PM 12 JUNIPER ROUTER EQUIPMENT ON THE BACK END, CORRECT?

02:46PM 13 A. YEP.

02:46PM 14 Q. BUT WHAT AMAZON WAS USING WAS CISCO NEXUS 7000 PRODUCTS ON
02:46PM 15 THE FRONT END, CORRECT?

02:46PM 16 A. THAT'S CORRECT.

02:46PM 17 Q. SO YOU WERE POINTING OUT THAT WE WERE COMPETING FOR THE
02:46PM 18 OPPORTUNITY TO REPLACE CISCO ON THE FRONT END, CORRECT?

02:46PM 19 A. YEAH.

02:46PM 20 Q. AND WHAT YOU SAID IS, "WE WOULD BE A PRACTICAL DROP-IN
02:46PM 21 REPLACEMENT FOR THE CISCO, GIVEN THE 99.999 PERCENT SIMILARITY
02:47PM 22 IN THE CLI."

02:47PM 23 THAT'S WHAT YOU WROTE, CORRECT?

02:47PM 24 A. THAT'S WHAT I WROTE.

02:47PM 25 MR. PAK: AT THIS POINT, YOUR HONOR, I WOULD LIKE TO

CROSS-EXAMINATION OF MR. DALE BY MR. SILBERT

02:52PM 1 SHOWN IN COURT HERE.

02:52PM 2 WHY DID YOU USE THE EXPRESSION, WHY DID YOU SAY THAT'S MY
02:52PM 3 JOKE FOR IOS OR, I'M SORRY I DON'T REMEMBER THE EXACT WORDING,
02:52PM 4 BUT I THINK YOU KNOW THE STATEMENT.

02:52PM 5 A. YEAH, SO LOOKING AT IT, I'M GUESSING I WAS PRESENTING IN
02:52PM 6 THE AFTERNOON, MAYBE LATE AFTERNOON. YOU KNOW, IT'S A VERY
02:53PM 7 DRAWING TECHNICAL TOPIC, YOU WANT TO BE INTERESTING TO AN
02:53PM 8 AUDIENCE. SO I THINK THE INTRODUCTION SHOWED IT AS WELL, I WAS
02:53PM 9 TRYING TO BE UPBEAT.

02:53PM 10 Q. I'M SURE THE AUDIENCE APPRECIATED THAT. WHAT POINT WERE
02:53PM 11 YOU TRYING TO MAKE?

02:53PM 12 A. THE COMMAND-LINE INTERFACE IS VERY, VERY SIMILAR, AND THE
02:53PM 13 POINT I WAS TRYING TO MAKE THAT WAS FOR MANY PEOPLE WHO HAVE,
02:53PM 14 SAY, PAID FOR TRAINING, THEY DON'T NEED TO PAY FOR ADDITIONAL
02:53PM 15 TRAINING. THE COMMAND SHOULD BE FAMILIAR TO THEM. THAT WAS
02:53PM 16 THE PRIMARY POINT.

02:53PM 17 Q. WHEN YOU MADE THAT STATEMENT, AT THE TIME YOU MADE IT, DID
02:53PM 18 YOU THINK THAT IT WAS ANYTHING THAT CISCO WOULD TAKE ISSUE WITH
02:53PM 19 IF CISCO HEARD IT?

02:53PM 20 A. NO, I DIDN'T.

02:53PM 21 Q. WOULD YOU PLEASE LOOK AT EXHIBIT 165, WHICH IS THE SLIDE
02:53PM 22 DECK, IT'S IN EVIDENCE, THAT WAS USED AT THAT PRESENTATION. IF
02:54PM 23 WE COULD LOOK AT THE SAME SLIDE THAT MR. PAK SHOWED YOU.

02:54PM 24 IT MIGHT BE EASIER TO LOOK ON THE SCREEN THERE, YEAH. CAN
02:54PM 25 YOU POINT OUT SOME OF THE ACTUAL CLI COMMANDS THAT ARE

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:25PM 1 A. I WORK AT CISCO SYSTEMS.

03:25PM 2 Q. AND WHAT IS YOUR CURRENT TITLE AT CISCO?

03:25PM 3 A. MY CURRENT TITLE IS CHIEF NETWORK ARCHITECT.

03:25PM 4 Q. AND CAN YOU BRIEFLY DESCRIBE TO THE JURY WHAT YOU DO AT

03:25PM 5 CISCO AS THE CHIEF NETWORK ARCHITECT?

03:25PM 6 A. I AM THE CHIEF SOFTWARE ARCHITECT, AND MY TEAM AND I ARE

03:25PM 7 RESPONSIBLE FOR CREATING SOFTWARE STRATEGY AND SOFTWARE FOR

03:25PM 8 ROUTING PLATFORMS AT CISCO.

03:25PM 9 Q. AND WHERE DO YOU LIVE, SIR?

03:25PM 10 A. I LIVE IN LOS ALTOS, CALIFORNIA.

03:25PM 11 Q. CAN YOU BRIEFLY TELL US ABOUT YOUR FAMILY?

03:25PM 12 A. I HAVE TWO KIDS, MARRIED.

03:25PM 13 Q. OKAY. CAN YOU BRIEFLY SUMMARIZE YOUR EDUCATIONAL

03:25PM 14 BACKGROUND FOR THE JURY?

03:25PM 15 A. I DID MY BACHELOR'S DEGREE FROM JABALPUR COLLEGE IN

03:26PM 16 ELECTRONICS AND TELECOMMUNICATIONS, WHICH IS IN INDIA. AND I

03:26PM 17 DID MY MASTER'S FROM IIT ROORKEE IN COMPUTER SCIENCE IN 1985.

03:26PM 18 Q. AND THAT WAS JABALPUR, J-A-B-A-L-P-U-R?

03:26PM 19 A. YES, THAT'S CORRECT.

03:26PM 20 Q. AND THEN ROORKEE, R-O-O-R-K-E-E, IN INDIA; IS THAT CORRECT?

03:26PM 21 A. THAT'S CORRECT.

03:26PM 22 Q. AND TELL US A LITTLE BIT ABOUT YOUR PROFESSIONAL EXPERIENCE

03:26PM 23 BEFORE YOU DECIDED TO JOIN CISCO?

03:26PM 24 A. AFTER I GRADUATED, I WORKED AT CONSULTANT FOR IBM THROUGH

03:26PM 25 DATA CONSULTING SERVICES. I WAS IN THE COMPUTER SOFTWARE OVER

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:27PM 1

A. YES.

03:27PM 2

Q. AND CAN YOU JUST GENERALLY TELL US ABOUT IOS?

03:28PM 3

A. SO IOS IT STANDS FOR INTERNETWORK OPERATING SYSTEM. AND

03:28PM 4

IOS IS THE OPERATING SYSTEM, IT RUNS ON ALL THE CISCO ROUTING

03:28PM 5

AND SWITCHES DEVICES, AND THESE ARE THE DEVICES WHICH MAKE

03:28PM 6

VARIOUS NETWORKS WORK.

03:28PM 7

Q. OKAY. AND AGAIN, JUST TO REMIND US, YOU MENTIONED

03:28PM 8

SWITCHES, WHAT ARE SWITCHES?

03:28PM 9

A. SWITCHES ARE THE DEVICES BASICALLY WHICH SEND THE PACKETS

03:28PM 10

TO CONNECT MULTIPLE COMPUTERS. MOST OF THE TIME SWITCHES ARE

03:28PM 11

USED IN THE DATA CENTER WHERE SERVERS RESIDE, AND THAT'S HOW

03:28PM 12

YOU ACCESS ALL YOUR WEBSITES.

03:28PM 13

Q. WONDERFUL.

03:28PM 14

MAYBE YOU CAN PULL THE MIC A LITTLE BIT CLOSER TO YOU?

03:28PM 15

THE COURT: I THINK IF YOU JUST SPEAK A LITTLE BIT

03:28PM 16

SLOWER, I THINK IT'S THE SPEED.

03:28PM 17

BY MR. PAK:

03:28PM 18

Q. DOES CISCO HAVE OTHER FLAVORS OF OPERATING SYSTEMS OTHER

03:28PM 19

THAN THE CLASSIC IOS?

03:28PM 20

A. CISCO IS ALWAYS EVOLVING THEIR OPERATING SYSTEMS AND

03:29PM 21

BRINGING IN THE NEW AND MODERN CONCEPT INTO THE OPERATING

03:29PM 22

SYSTEM. CISCO HAS THREE OTHER OPERATING SYSTEMS. IOS XE, IOS

03:29PM 23

XR, AND NX-OS.

03:29PM 24

Q. AND BRIEFLY CAN YOU EXPLAIN TO THE JURY WHAT THESE OTHER

03:29PM 25

THREE OPERATING SYSTEMS ARE USED FOR?

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:29PM 1 A. SO VERY BRIEFLY, IOS XE IS AN OPERATING SYSTEM WHICH IS
03:29PM 2 USED IN THE ENTERPRISE. SO IOS XE WOULD BE USED IN THE SUPPORT
03:29PM 3 ROOM IF I NEEDED NETWORKING DEVICES INSTALLED IN THIS
03:29PM 4 COURTROOM.

03:29PM 5 AND NX-OS IS THE OPERATING SYSTEM WHICH IS TYPICALLY USED
03:29PM 6 IN THE DATA CENTER WHERE A LOT OF SERVERS AND COMPUTERS RESIDE.

03:29PM 7 AND IOS XR IS THE OPERATING SYSTEM WHICH IS USED BY SERVICE
03:29PM 8 PROVIDER WHICH BASICALLY MAKES UP YOUR INTERNET.

03:29PM 9 Q. OKAY. SO WHEN YOU SAY SERVICE PROVIDERS, ARE YOU TALKING
03:29PM 10 ABOUT TELEPHONE COMPANIES AND CABLE COMPANIES?

03:29PM 11 A. YES. PEOPLE LIKE AT&T, VERIZON AND COMCAST.

03:30PM 12 Q. AND DID YOU PERSONALLY WORK ON IOS XR?

03:30PM 13 A. YES, I DID.

03:30PM 14 Q. AND WHEN DID IOS XR SHIP?

03:30PM 15 A. I BELIEVE AROUND 2004.

03:30PM 16 Q. AND AT A HIGH LEVEL, WHAT ARE SOME OF THE DIFFERENCES
03:30PM 17 BETWEEN NX-OS AND IOS XR COMPARED TO THE CLASSIC IOS OPERATING
03:30PM 18 SYSTEM?

03:30PM 19 A. BOTH THESE OPERATING SYSTEMS, NX-OS AND IOS XR, ARE VERY
03:30PM 20 MODULAR AND SELF HEALING.

03:30PM 21 Q. SO YOU SAID MODULAR, CORRECT?

03:30PM 22 A. YES.

03:30PM 23 Q. AND CAN YOU EXPLAIN BRIEFLY TO THE JURY WHAT YOU MEAN BY
03:30PM 24 MODULAR WHEN YOU ARE TALKING ABOUT OPERATING SYSTEM DESIGN?

03:30PM 25 A. IN THE OPERATING SYSTEM AND SOFTWARE LINGO, MODULAR MEANS

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:39PM 1 RECOGNIZED LEADER IN INTERNET WORKING DEVICE OPERATING SYSTEMS
03:40PM 2 FOR DECADES CISCO IOS SOFTWARE HAS BEEN THE FOUNDATION FOR
03:40PM 3 ROUTING AND SWITCHING CONFIGURATION IN ALL ENVIRONMENTS. THE
03:40PM 4 CISCO IOS CLI HAS ESSENTIALLY BECOME THE STANDARD FOR
03:40PM 5 CONFIGURATION IN THE NETWORKING INDUSTRY?

03:40PM 6 A. YES.

03:40PM 7 Q. SO ON BEHALF OF CISCO, AND SOMEBODY WHO IS THE CHIEF
03:40PM 8 ARCHITECT, WHAT DOES CISCO MEAN WHEN YOU USE THE PHRASE, HAS
03:40PM 9 BECOME THE STANDARD IN DESCRIBING IOS CLI?

03:40PM 10 A. SO WHAT IT DESCRIBES IS THAT CISCO IOS CLI WAS THE BEST, TO
03:40PM 11 COMPETE AGAINST IT, TO SET THE BAR. ALSO, IT DEFINED A SET OF
03:40PM 12 PROPERTIES WHICH PEOPLE WERE ALWAYS EXPECTING A LOT OF.

03:40PM 13 Q. DID CISCO, WHEN IT WROTE THESE WORDS, "BECAME THE
03:40PM 14 STANDARD," WAS IT TELLING THE WORLD THAT ANYONE COULD COME AND
03:40PM 15 COPY THE CISCO CLI WITHOUT A LICENSE?

03:40PM 16 MR. FERRALL: OBJECTION. FOUNDATION.

03:40PM 17 THE COURT: SUSTAINED.

03:40PM 18 BY MR. PAK:

03:41PM 19 Q. HAVE YOU EVER, IN YOUR EXPERIENCE AT CISCO, HEARD ANYONE
03:41PM 20 SAY THAT IT WAS CISCO'S POLICY TO ALLOW COMPANIES TO COPY CISCO
03:41PM 21 CLI WITHOUT A LICENSE?

03:41PM 22 A. I HAVE NOT.

03:41PM 23 Q. DO YOU BELIEVE THAT CISCO CLI IS IMPORTANT TO CISCO'S
03:41PM 24 BUSINESS?

03:41PM 25 A. YES.

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:48PM 1 INTERNET WORKING OPERATING SYSTEM OR IOS?

03:48PM 2 A. THE -- SOME OF THESE PRODUCTS RUN EITHER IOS OR THE VERY
03:48PM 3 END OF IOS WHICH WE TALKED ABOUT EOS, IOS XR, NX-OS.

03:48PM 4 Q. ONE OF THE TYPES OF PRODUCTS THAT CISCO DOES MAKE IS THE
03:48PM 5 GIGABIT ETHERNET SWITCHING PRODUCTS, CORRECT?

03:48PM 6 A. YES, WE MAKE A FEW OF THEM.

03:48PM 7 Q. AND I THINK YOU MENTIONED THE NEXUS 7000?

03:48PM 8 A. YES.

03:48PM 9 Q. WHAT IS THE INTENDED MARKET FOR THE NEXUS 7000 PRODUCT?

03:48PM 10 A. THE INTENDED MARKET FOR NEXUS 7000 IS THE DATA CENTER
03:48PM 11 MARKET. THE DATA CENTER ARE THE PLACES WHERE WE HAVE THE
03:48PM 12 SERVERS WHICH RUN BASICALLY YOUR URL'S, SO WHEN YOU ACCESS A
03:48PM 13 URL, YOU ARE BASICALLY ACCESSING THOSE COMPUTERS.

03:48PM 14 Q. OKAY. SO WHEN YOU ARE ACCESSING THE URL ON YOUR HOME PAGE
03:48PM 15 AND YOU TYPE WWW.NFL.COM, CHANCES ARE IT'S GOING THROUGH A
03:49PM 16 PRODUCT LIKE THE NEXUS 7000?

03:49PM 17 A. VERY GOOD CHANCES ARE IT IS GOING THROUGH NEXUS 7000 AND
03:49PM 18 ACCESSING A COMPUTER WHICH BASICALLY HAVE ALL THE DATA STORED
03:49PM 19 FOR NFL OR WHATEVER.

03:49PM 20 Q. OKAY. AND WHAT TYPE OF OPERATING SYSTEM DOES THE NEXUS
03:49PM 21 7000 RUN?

03:49PM 22 A. IT RUNS NX-OS.

03:49PM 23 Q. AND AT A HIGH LEVEL CAN YOU DESCRIBE FOR THE JURY THE TYPES
03:49PM 24 OF COMMANDS OR FUNCTIONALITIES THAT WOULD BE FOUND IN A GIGABIT
03:49PM 25 ETHERNET SWITCHING PRODUCT?

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

03:49PM 1 A. SO IF WE CAN TAKE ONE EXAMPLE, SINCE NEXUS 7000 IS
03:49PM 2 CONNECTING VARIOUS COMPUTERS, IT NEEDS TO FIGURE OUT WHAT IS
03:49PM 3 THE BEST PATH BETWEEN THOSE TWO COMPUTERS, AND IF THOSE TWO
03:49PM 4 COMPUTERS HAPPEN TO BE IN TWO DIFFERENT ROOMS, HOW TO GO FROM
03:49PM 5 SEND THE PACKET FROM ONE ROOM TO THE OTHER ROOM.

03:49PM 6 SO WE USE A PRODUCT CALLED BGP WHICH IS A BORDER GATEWAY
03:49PM 7 PROTOCOL, AND THAT'S ONE OF THE FEATURES.

03:49PM 8 Q. AND DO YOU HAVE AN UNDERSTANDING OF WHO CREATED THE BGP
03:49PM 9 PROTOCOL?

03:49PM 10 A. CISCO WAS -- SO BGP IS AN STANDARD BUT CISCO WAS THE
03:50PM 11 INITIAL, CISCO CREATED THE INITIAL VERSION OF THE BGP PRODUCT.

03:50PM 12 Q. AND DO YOU KNOW ANY SPECIFIC CISCO ENGINEERS THAT WERE
03:50PM 13 INVOLVED IN THE CREATION OF THE INITIAL PROTOCOL THAT BECAME
03:50PM 14 BGP?

03:50PM 15 MR. FERRALL: OBJECTION. FOUNDATION.

03:50PM 16 MR. PAK: DO YOU HAVE PERSONAL KNOWLEDGE --

03:50PM 17 THE COURT: SUSTAINED.

03:50PM 18 THE WITNESS: YES. KIRK LOUGHEED WAS ONE OF THE --

03:50PM 19 BY MR. PAK:

03:50PM 20 Q. THAT WAS KIRK LOUGHEED, CORRECT?

03:50PM 21 A. YES.

03:50PM 22 Q. NOW THIS IS GOING TO BE A LITTLE BIT DIFFICULT BUT WE ARE
03:50PM 23 GOING TO WALK THROUGH A FEW OF THE MANUALS THAT PERTAIN TO THE
03:50PM 24 NEXUS 7000.

03:50PM 25 SO IF YOU LOOK AT EXHIBIT 5078

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

04:12PM 1 A. I CAN'T -- IT'S VERY DIFFICULT TO GIVE YOU A NUMBER BECAUSE
04:12PM 2 I JUST FOUND OUT WE RECEIVED 20 PATENTS YESTERDAY. SO GIVING A
04:12PM 3 NUMBER IS VERY DIFFICULT.

04:12PM 4 Q. ARE YOU AWARE OF SOMETHING CALLED PROGRAMATIC INTERFACES?

04:12PM 5 A. YES.

04:12PM 6 Q. AND WHAT ARE PROGRAMATIC INTERFACES?

04:13PM 7 A. SO WE TALKED A LOT ABOUT CLI. AND CLI IS TYPICALLY AN
04:13PM 8 INTERFACE FOR HUMAN TO INTERACT WITH MACHINES, BECAUSE IT'S A
04:13PM 9 TEXT-BASED, YOU TYPE A COMMAND, THE RESPONSE COMES BACK, TEXT
04:13PM 10 RESPONSE COMES BACK.

04:13PM 11 PROGRAMATIC INTERFACES IS WHEN MACHINES CAN TALK TO
04:13PM 12 MACHINES. SO IF YOU HAVE A LOT OF DEVICES, YOU REALLY DON'T
04:13PM 13 WANT TO GO ON TO EVERY DEVICE AND TYPE THOSE COMMANDS, YOU WANT
04:13PM 14 TO HAVE A PROGRAMATIC INTERFACE TO GO CONFIGURE ALL THOSE
04:13PM 15 DEVICES SIMULTANEOUSLY.

04:13PM 16 Q. AND HAS CISCO BEEN WORKING ON ITS PROGRAMMATIC CISCO
04:13PM 17 TECHNOLOGY?

04:13PM 18 A. CISCO HAS BEEN WORKING ON ITS PROGRAMMATIC INTERFACE
04:13PM 19 TECHNOLOGY, I BELIEVE FROM 2000, 2004, MAYBE EVEN WORKING
04:13PM 20 BEFORE. WE HAVE BEEN DOING LOT OF WORK. BUT THE THING IS,
04:13PM 21 THIS TECHNOLOGY ALSO HAS BEEN CHANGING AS THE TIME GOES ON.
04:13PM 22 OKAY. AND WE HAVE BEEN KEEPING UP AS THE NEW TECHNOLOGY COMES
04:13PM 23 UP INTO DIFFERENT MARKET SPACES, WE EVALUATE IT, MAKE SURE THAT
04:14PM 24 IT MAKES SENSE FOR NETWORKING MARKET THEN BRING IT INTO
04:14PM 25 NETWORKING MARKET.

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:23PM 1 Q. NEXUS 7000. HOW MANY COMMANDS ARE IN NX-OS IN TOTAL?

04:24PM 2 A. I DO NOT KNOW THAT NUMBER.

04:24PM 3 Q. YOU DIDN'T COUNT THAT?

04:24PM 4 A. NO.

04:24PM 5 Q. OKAY. DO YOU KNOW HOW MANY COMMANDS ARE IN IOS?

04:24PM 6 A. AS I SAID THE NUMBER OF COMMANDS IN IOS CHANGE EVERY DAY.

04:24PM 7 AND WE TALKED ABOUT 14, 15,000 COMMANDS.

04:24PM 8 Q. YEAH, IT WAS 16,000 AT LEAST SEVERAL YEARS AGO, RIGHT?

04:24PM 9 A. PROBABLY.

04:24PM 10 Q. AND IT PROBABLY IS GOING UP, RIGHT?

04:24PM 11 A. EXACTLY.

04:24PM 12 Q. OKAY. AND SO YOU SAID THERE WERE 1500 COMMANDS ON THE

04:24PM 13 NEXUS 7000, BY YOUR COUNT?

04:24PM 14 A. YES.

04:24PM 15 Q. AND IS IT FAIR TO SAY THAT EACH COMMAND RELATES TO A

04:24PM 16 FUNCTION?

04:24PM 17 A. EACH COMMAND RELATES TO ONE OF THE FUNCTIONS IN THE SWITCH.

04:24PM 18 Q. OKAY. SO AN OPERATING SYSTEM THAT HAD SIGNIFICANTLY MORE

04:24PM 19 THAN 1500 COMMANDS RUNNING ON THE SWITCH, THAT'S GOING TO BE A

04:24PM 20 SWITCH WITH MORE FUNCTIONS, RIGHT?

04:24PM 21 A. THAT'S TRUE.

04:24PM 22 Q. AND SO WOULD IT SURPRISE YOU TO KNOW THAT ARISTA'S SWITCH

04:25PM 23 ACTUALLY HAS WELL OVER 5,000 COMMANDS?

04:25PM 24 A. I DON'T KNOW.

04:25PM 25 Q. YOU DON'T KNOW ARISTA'S SWITCH?

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:32PM 1

FILES?

04:32PM 2

A. I WAS TOLD AT MY DEPOSITION SOMETHING ABOUT THE BATES AND

04:32PM 3

THAT CSI MEANING CISCO, SO I BELIEVE SO.

04:32PM 4

Q. DO YOU HAVE ANY REASON TO DOUBT THAT THIS CAME FROM CISCO'S

04:32PM 5

FILES?

04:32PM 6

A. I DON'T KNOW HOW IT WAS PRODUCED, IT WAS JUST TOLD TO ME,

04:33PM 7

SO I BELIEVE IT WAS PRODUCED.

04:33PM 8

Q. YOU WERE DESIGNATED IN THIS CASE BY CISCO TO TESTIFY

04:33PM 9

REGARDING CERTAIN SUBJECTS, INCLUDING INDUSTRY STANDARD

04:33PM 10

DOCUMENTS, RIGHT?

04:33PM 11

A. YES.

04:33PM 12

Q. OKAY. AND YOU RECOGNIZE THIS AS ONE OF THE DOCUMENTS YOU

04:33PM 13

TESTIFIED ABOUT IN YOUR DEPOSITION, RIGHT?

04:33PM 14

A. YES, I DID.

04:33PM 15

MR. FERRALL: YOUR HONOR, I WOULD LIKE TO OFFER

04:33PM 16

EXHIBIT 5441 IN EVIDENCE.

04:33PM 17

THE COURT: ANY OBJECTION?

04:33PM 18

MR. PAK: NO OBJECTION, YOUR HONOR.

04:33PM 19

THE COURT: IT WILL BE ADMITTED.

04:33PM 20

(WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 5441, HAVING BEEN

04:33PM 21

PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO

04:33PM 22

EVIDENCE.)

04:33PM 23

BY MR. FERRALL:

04:33PM 24

Q. THIS IS A PRESENTATION FROM NORTEL, RIGHT?

04:33PM 25

A. YES.

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:33PM 1 Q. AND THEY OFFER NETWORKING PRODUCTS, CORRECT?

04:33PM 2 A. YES.

04:33PM 3 Q. AND THIS APPEARS TO BE DATED ON THE SECOND PAGE, I THINK,

04:33PM 4 IT'S THE SECOND PAGE, LOOKS LIKE IT'S AUGUST 2005, RIGHT.

04:33PM 5 A. YES.

04:33PM 6 Q. AND ON THE NEXT PAGE, YOU SEE NORTEL ADVERTISING ITSELF AS

04:34PM 7 HAVING WHAT APPEARS TO BE TWO CLI'S, INCLUDING A CISCO-LIKE

04:34PM 8 ONE, RIGHT?

04:34PM 9 A. YES.

04:34PM 10 Q. AND YOU'RE NOT AWARE OF SOMEONE AT CISCO OBJECTING WHEN

04:34PM 11 THEY'VE HAD THIS DOCUMENT IN THEIR POSSESSION, THAT NORTEL'S

04:34PM 12 GOT A CISCO LIKE CLI, RIGHT?

04:34PM 13 A. TRUE, I'M NOT AWARE OF ANY ACTION.

04:34PM 14 Q. BY THE WAY, CISCO WOULD GATHER INFORMATION ON COMPETITOR'S

04:34PM 15 PRODUCTS, RIGHT?

04:34PM 16 A. YES.

04:34PM 17 Q. THAT'S FAIR GAME IN COMPETITION, CORRECT?

04:34PM 18 A. YES.

04:34PM 19 Q. SO LET'S LOOK AT ANOTHER DOCUMENT 5444. IF YOU COULD OPEN

04:34PM 20 THAT UP IN YOUR BINDER, PLEASE.

04:34PM 21 A. YEP.

04:34PM 22 Q. THIS IS ANOTHER DOCUMENT YOU TESTIFIED TO IN YOUR

04:34PM 23 DEPOSITION, RIGHT?

04:34PM 24 A. YES.

04:35PM 25 Q. AND IT COMES FROM CISCO'S FILES, CORRECT?

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:35PM 1

A. YES.

04:35PM 2

Q. OKAY. THANK YOU?

04:35PM 3

MR. FERRALL: YOUR HONOR, I WOULD OFFER 5444 IN

04:35PM 4

EVIDENCE, PLEASE.

04:35PM 5

MR. PAK: NO OBJECTION, YOUR HONOR.

04:35PM 6

THE COURT: IT WILL BE ADMITTED.

04:35PM 7

(WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 5444, HAVING BEEN

04:35PM 8

PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO

04:35PM 9

EVIDENCE.)

04:35PM 10

BY MR. FERRALL:

04:35PM 11

Q. THIS IS AN HP PRODUCT DATA SHEET, CORRECT?

04:35PM 12

A. YES.

04:35PM 13

Q. AND IF WE LOOK AT THE THIRD PAGE OF THIS DOCUMENT UNDER THE

04:35PM 14

HEADING MANAGEMENT?

04:35PM 15

A. YES, I CAN SEE THAT.

04:35PM 16

Q. THE SECOND BULLET, HP, SORRY I WILL WAIT UNTIL THAT COMES

04:35PM 17

UP, HP ALSO ADVERTISED ITS PRODUCT AS HAVING AN INDUSTRY

04:35PM 18

STANDARD CLI?

04:35PM 19

A. YES.

04:35PM 20

Q. WITH A HIERARCHICAL STRUCTURE?

04:35PM 21

A. YES.

04:35PM 22

Q. OKAY. AND THIS DOCUMENT, ACCORDING TO THE COPYRIGHT AT

04:36PM 23

LEAST ON THE LAST PAGE, APPEARS TO BE IN THE 2012 RANGE, IF YOU

04:36PM 24

LOOK AT THAT LAST PAGE.

04:36PM 25

A. YES, IT SAYS 2010, 2012.

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:36PM 1 Q. OKAY. AND MR. KATHAIL, THERE'S MANY DOCUMENTS LIKE THIS

04:36PM 2 FROM OTHER VENDORS, AREN'T THERE?

04:36PM 3 A. YES.

04:36PM 4 Q. YOU'VE SAW THEM AND YOU KNOW THAT THEY'RE OUT THERE, RIGHT?

04:36PM 5 A. YES.

04:36PM 6 Q. AND SO LET'S TALK ABOUT SOME INTERNAL DOCUMENTS THEN. IF

04:36PM 7 YOU COULD LOOK AT 5786 IN YOUR BINDER.

04:37PM 8 A. YES.

04:37PM 9 Q. THIS IS AN INTERNAL CISCO, ACTUALLY, I TAKE THAT BACK, THIS

04:37PM 10 IS A CISCO PREPARED PRESENTATION, CORRECT?

04:37PM 11 A. I DON'T GET WHAT YOU MEAN BY CISCO-PREPARED PRESENTATION.

04:37PM 12 Q. WELL, IT'S A PRESENTATION THAT CISCO GAVE TO ONE OF ITS

04:37PM 13 CUSTOMERS REGARDING IOS, RIGHT?

04:37PM 14 A. YES.

04:37PM 15 Q. AND THE CUSTOMER IS AT&T, RIGHT?

04:37PM 16 A. YES, THE PRESENTATION WAS GIVEN UNDER NONDISCLOSURE.

04:37PM 17 Q. UNDER NONDISCLOSURE. OKAY. SO THIS WAS A CONFIDENTIAL

04:37PM 18 PRESENTATION GIVEN TO AT&T?

04:37PM 19 A. THAT'S WHAT I ASSUMED, GIVEN THE STAMP ON THE PRESENTATION.

04:37PM 20 Q. OKAY.

04:37PM 21 MR. FERRALL: I WOULD LIKE TO MOVE EXHIBIT 5786 IN

04:37PM 22 EVIDENCE.

04:37PM 23 MR. PAK: YOUR HONOR, NO OBJECTION.

04:37PM 24 THE COURT: IT WILL BE ADMITTED.

04:37PM 25

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:42PM 1 TO CISCO, RIGHT?

04:42PM 2 A. YES.

04:42PM 3 Q. AND YOU KNOW CISCO ULTIMATELY PAID A TOTAL OF A BILLION

04:42PM 4 DOLLARS OR SO FOR INSIEME?

04:42PM 5 A. I'M NOT AWARE OF HOW MUCH MONEY WAS PAID.

04:43PM 6 Q. ALL RIGHT. IF YOU COULD LOOK AT EXHIBIT 7956, PLEASE.

04:43PM 7 DO YOU RECOGNIZE THIS E-MAIL -- LET ME ASK YOU, ARE YOU ON

04:43PM 8 THE CLUELESS E-MAIL LIST?

04:44PM 9 A. YES, I AM.

04:44PM 10 Q. AND DO YOU SEE ON THIS EXHIBIT THAT THE CLUELESS MAILING

04:44PM 11 LIST HAS, IS INCLUDED IN THE CC, IT'S TOWARDS THE BOTTOM OF THE

04:44PM 12 LIST?

04:44PM 13 A. I BELIEVE YOU, YES.

04:44PM 14 Q. OKAY. ALL RIGHT.

04:44PM 15 MR. FERRALL: YOUR HONOR, I WOULD MOVE EXHIBIT 7956

04:44PM 16 IN EVIDENCE.

04:44PM 17 MR. PAK: NO OBJECTION, YOUR HONOR.

04:44PM 18 THE COURT: IT WILL BE ADMITTED.

04:44PM 19 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 7956, HAVING BEEN

04:44PM 20 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO

04:44PM 21 EVIDENCE.)

04:44PM 22 BY MR. FERRALL:

04:44PM 23 Q. THIS IS A LONG E-MAIL EXCHANGE, RIGHT?

04:44PM 24 A. I'M SEEING THIS E-MAIL FOR THE FIRST TIME. CLUELESS IS A

04:44PM 25 MAILING LIST A LOT OF PEOPLE SUBSCRIBE. IT DOESN'T MEAN THAT

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:44PM 1 EVERYBODY READS EVERY E-MAIL COMING ON CLUELESS.

04:44PM 2 Q. ALL RIGHT. WELL, LET ME JUST DIRECT YOU TO ONE PART THEN,

04:44PM 3 AND IF YOU CAN HELP ME, GREAT, IF NOT, WE WILL MOVE ON.

04:44PM 4 FIRST OF ALL, THIS E-MAIL IS DATED AUGUST 2013; DO YOU SEE

04:45PM 5 THAT?

04:45PM 6 A. YES.

04:45PM 7 Q. AND THE RE: LINE IS "TECH EXECUTIVES FACING UP TO HARD

04:45PM 8 REALITIES OF THE CLOUD," RIGHT?

04:45PM 9 A. YES, THAT'S THE SUBJECT.

04:45PM 10 Q. OKAY. IF WE COULD FLIP FORWARD, OR BACKWARDS, SORRY, 2, 3,

04:45PM 11 4, I THINK IT'S ON PAGE 5 TOWARDS THE TOP. AND ACTUALLY, LET'S

04:45PM 12 GO TO THE PREVIOUS PAGE WHERE WE COULD SEE THE AUTHOR OF THIS.

04:45PM 13 DO YOU KNOW A KEITH SWALLOW?

04:45PM 14 A. I DON'T KNOW KEITH.

04:45PM 15 Q. YOU DON'T KNOW HIM. OKAY.

04:45PM 16 IF WE GO TO THE PAGE 5 AT THE TOP. LET ME JUST ASK YOU,

04:45PM 17 MR. KATHAIL. IT APPEARS MR. SWALLOW WRITES, "WE ARE QUICKLY

04:46PM 18 BECOMING THE OLD CRUSTY NETWORK GUYS IN OUR ACCOUNTS. THE NEW

04:46PM 19 GENERATION THAT IS COMING INTO THE WORK FORCE DOESN'T CARE

04:46PM 20 ABOUT CLI, THEY WANT EASY TO USE AND THEY WANT FUNCTIONAL."

04:46PM 21 DO YOU SEE THAT?

04:46PM 22 A. YES.

04:46PM 23 Q. DOES THAT SENTIMENT SOUND FAMILIAR TO YOU AS OF THE

04:46PM 24 2013/2014 TIMEFRAME?

04:46PM 25 A. THE PEOPLE ARE LOOKING FOR PROGRAMMABLE INTERFACES AND

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:46PM 1 THAT'S WHAT THIS SENTIMENT IS ABOUT.

04:46PM 2 Q. LET ME ASK YOU TO LOOK AT ONE MORE DOCUMENT EXHIBIT 7977?

04:47PM 3 THIS IS AN E-MAIL EXCHANGE BETWEEN YOU AND A FEW COLLEAGUES

04:47PM 4 AT CISCO, CORRECT?

04:47PM 5 A. YES.

04:47PM 6 Q. AND THIS IS IN FEBRUARY OF 2014?

04:47PM 7 A. YES.

04:47PM 8 MR. FERRALL: I MOVE EXHIBIT 7977 IN EVIDENCE.

04:47PM 9 MR. PAK: NO OBJECTION YOUR HONOR.

04:47PM 10 THE COURT: IT WILL BE ADMITTED.

04:47PM 11 (WHEREUPON, DEFENDANT'S EXHIBIT NUMBER 7977, HAVING BEEN

04:47PM 12 PREVIOUSLY MARKED FOR IDENTIFICATION, WAS ADMITTED INTO

04:47PM 13 EVIDENCE.)

04:47PM 14 BY MR. FERRALL:

04:47PM 15 Q. IN THIS E-MAIL YOU START BY SEEKING SOME INFORMATION ABOUT

04:47PM 16 MODELLING OR MODELS, RIGHT, THAT'S --

04:47PM 17 A. YES.

04:47PM 18 Q. AND THAT'S A FORM OF THIS PROGRAMMABILITY THAT'S GOING ON

04:47PM 19 IN THE NETWORKING FIELD, CORRECT?

04:47PM 20 A. THAT'S THE NEW FORM OF THE PROGRAMMABILITY WE JUST STARTED

04:47PM 21 ABOUT 18 MONTHS AGO.

04:47PM 22 Q. OKAY. AND ONE OF YOUR COLLEAGUES RESPONDS AT THE BOTTOM OF

04:47PM 23 THE FIRST PAGE OF THIS, A MR. SUNIL, GUHDURVALMIKI. HE'S A

04:48PM 24 COLLEAGUE OF YOURS, RIGHT?

04:48PM 25 A. YES.

CROSS-EXAMINATION OF MR. KATHAIL BY MR. FERRALL

04:48PM 1 Q. AND MR. SUNIL, I'M NOT GOING TO TRY MY LUCK AGAIN, HE
04:48PM 2 WRITES AT THE BOTTOM OF THE PAGE THAT CUSTOMERS ARE NOT ASKING
04:48PM 3 FOR COMMON DATA MODELS, BUT RATHER ARE THEY ARE ASKING FOR
04:48PM 4 CONSISTENT PROGRAMATIC INTERFACES, RIGHT?
04:48PM 5 A. YES.
04:48PM 6 Q. AND THEN HE GOES ON TO SAY IN DC SEGMENT, THAT'S DATA
04:48PM 7 CENTER?
04:48PM 8 A. YES.
04:48PM 9 Q. RECENT BIG LOSSES FOR LACK OF PROGRAMMABILITY, BOX.NET AND
04:48PM 10 FACEBOOK, RIGHT?
04:48PM 11 A. YES.
04:48PM 12 Q. ARE YOU FAMILIAR WITH CISCO LOSSES AT BOX.NET AND FACEBOOK?
04:48PM 13 A. I WAS NOT FAMILIAR WITH THOSE.
04:48PM 14 Q. OKAY. THEN HE GOES ON AND SAYS NOW WE ARE BATTLING ARISTA
04:48PM 15 AND PRETTY MUCH ALL THE ACCOUNTS ON THE PROGRAMMABILITY FRONT.
04:49PM 16 DO YOU SEE THAT?
04:49PM 17 A. YES.
04:49PM 18 Q. AND THAT WAS -- THAT WAS NOT NEWS TO YOU, YOU KNEW ARISTA
04:49PM 19 WAS BATTLING CISCO ON PROGRAMMABILITY, RIGHT?
04:49PM 20 A. WE WERE WORKING AT THE PROGRAM ACT AT THIS POINT IN TIME,
04:49PM 21 YES.
04:49PM 22 Q. OKAY.
04:49PM 23 MR. FERRALL: ALL RIGHT.
04:49PM 24 NO FURTHER QUESTIONS, YOUR HONOR.
04:49PM 25 THE COURT: ALL RIGHT. LET'S SEE IF WE CAN FINISH

REDIRECT EXAMINATION OF MR. KATHAIL BY MR. PAK

04:49PM 1 UP.

04:49PM 2 MR. PAK: I THINK WE SHOULD BE ABLE TO, YOUR HONOR.

04:49PM 3 THE COURT: ALL RIGHT.

04:49PM 4 THAT WOULD BE GREAT.

04:49PM 5 REDIRECT?

04:49PM 6

04:49PM 7 **REDIRECT EXAMINATION BY MR. PAK**

04:49PM 8

04:49PM 9 BY MR. PAK:

04:49PM 10 Q. LET'S START FROM SOME OF THE RECENT TOPICS THAT MR. FERRALL
04:49PM 11 ASKED YOU ABOUT. WE SAW SOME DOCUMENTS TALKING ABOUT
04:49PM 12 PROGRAMMABLE INTERFACES IN A WORLD WITHOUT CLI, ARE WE LIVING IN
04:49PM 13 A WORLD TODAY WITHOUT CLI?

04:49PM 14 A. NO, WE ARE NOT. THE WAY YOU LOOK AT THEM, IT'S A STRATEGY
04:49PM 15 PRESENTATION WHICH I DID IN 2007, IT TOOK US SOME TIME TO REACH
04:49PM 16 IT. THE REASON THE WORLD WITHOUT CLI PRESENTATION WAS CREATED
04:50PM 17 IS WE WANTED TO START NOW BECAUSE WE KNOW THAT IN 2020, 2021,
04:50PM 18 THAT WOULD BE A REALITY AND WE NEED TO START WORKING NOW.

04:50PM 19 Q. SO TODAY AND GOING BACK IN TIME TO 2011, 2012 WHEN ARISTA
04:50PM 20 WAS COMPETING WITH CISCO, WAS CLI AN IMPORTANT FACTOR IN TERMS
04:50PM 21 OF THE USER INTERFACE OF THE SWITCHING AND ROUTER PRODUCTS?

04:50PM 22 A. CLI WAS AN IMPORTANT FACTOR AND IT STILL IS AN IMPORTANT
04:50PM 23 FACTOR FOR ALL THE SWITCHES AND ROUTERS.

04:50PM 24 Q. NOW I WANT TO LOOK AT SOME OF THE DOCUMENTS THAT
04:50PM 25 MR. FERRALL SHOWED YOU, SO LET'S TAKE A LOOK AT, I BELIEVE THIS

12:43:40 1 THIS IS YOUR EXHIBIT, TO ESTABLISH THAT THESE ARE REGISTERED
12:43:46 2 WORKS.

12:43:47 3 AND SECOND, ONCE YOU CAN SHOW ME THE SOURCE OF -- YOUR
12:43:52 4 EVIDENCE ON IT, THEN MR. WONG CAN ADVISE THE COURT AS TO
12:43:55 5 WHETHER IT WAS DISCLOSED.

12:43:57 6 AND UNTIL HE SEES WHAT YOU'RE PUTTING FORTH, IT'S ONLY A
12:44:01 7 GENERAL STATEMENT BY HIM THAT YOU DON'T HAVE ANYTHING, IF
12:44:05 8 THAT'S WHAT WE'RE NEEDING.

12:44:07 9 MR. PAK: YOUR HONOR, LET ME TAKE A LOOK AT
12:44:10 10 DR. ALMEROTH'S EXPERT REPORT. WE WILL LOOK AT ALL THE
12:44:13 11 DISCOVERY RESPONSES AND GET BACK TO YOU ON THAT.

12:44:16 12 BECAUSE WHAT I UNDERSTOOD WAS WE WERE ARGUING ABOUT THIS
12:44:19 13 PARTICULAR DOCUMENT, AND I UNDERSTOOD THE COMPLAINT TO BE THAT
12:44:22 14 THIS PARTICULAR DOCUMENT, 4799, DID NOT IDENTIFY SPECIFIC
12:44:28 15 VERSIONS.

12:44:29 16 AND IT WAS OUR VIEW THAT WE HAD IDENTIFIED BY OPERATING
12:44:32 17 SYSTEM TYPE, AND THAT WAS SUFFICIENT.

12:44:34 18 BUT IF YOUR HONOR IS ASKING US TO GO BACK AND LOOK AT ON A
12:44:39 19 PERVERSION BASIS, THEN WE WILL SEE WHAT'S --

12:44:42 20 THE COURT: ACTUALLY, I WANT TO BE CLEAR, I'M JUST
12:44:44 21 TRYING TO RULE ON THE OBJECTION PUT FORTH BY ARISTA. I'M NOT
12:44:48 22 ASKING FOR ANYTHING.

12:44:50 23 AND FRANKLY, MR. PAK, IF AT THE END OF THE DAY, YOU REST
12:44:53 24 AND YOU HAVE NOT PROVED YOUR CASE, I WILL THEN GET A MOTION
12:44:57 25 FROM ARISTA, I'M NOT DOING ANYTHING ON MY OWN.

01:28:02 1 HAVE OVER 20,000 ENGINEERS WE EMPLOY. INTELLECTUAL PROPERTY IS
01:28:06 2 THE WAY WE PROTECT THAT, WITH OUR PATENTS AND COPYRIGHTS.

01:28:09 3 Q. HOW MANY PATENTS AND REGISTERED COPYRIGHTS DOES CISCO
01:28:13 4 HAVE?

01:28:13 5 A. SO WE HAVE 14,000 PATENTS IN THE U.S. 20,000 AROUND THE
01:28:18 6 WORLD. WE HAVE 26 REGISTERED COPYRIGHTS ON VARIOUS KINDS OF
01:28:24 7 OPERATING SYSTEMS THAT WE HAVE.

01:28:25 8 Q. CAN YOU PROVIDE SOME EXAMPLES OF THE TYPES OF INNOVATIONS
01:28:29 9 THAT CISCO HAS PATENTED?

01:28:30 10 A. SURE. SO WE'VE PATENTED A TREMENDOUS AMOUNT IN THE
01:28:36 11 NETWORKING AREA, BEGINNING WITH FUNDAMENTALS OF ROUTING AND
01:28:39 12 SWITCHES TECHNOLOGY, BUT CONTINUING ON AS WE'VE ADVANCED THE
01:28:43 13 TECHNOLOGY THAT'S ENABLED WHAT PEOPLE CALLED THE CLOUD, AND
01:28:45 14 WE'VE CONTINUED PATENTING OUR ADVANCES OF THE CLOUD TECHNOLOGY.

01:28:49 15 WE HAVE PATENTED SECURITY TECHNOLOGY, COLLABORATION OF
01:28:54 16 VIDEO, AND LOTS OF DETAILS ABOUT HOW NETWORKING TECHNOLOGY
01:28:59 17 OPERATES AND IMPROVEMENTS, INCLUDING THINGS LIKE WHAT WE CALL
01:29:02 18 LOW LATENCY, HOW YOU MOVE INFORMATION THROUGH THE NETWORK VERY
01:29:06 19 QUICKLY, RELIABILITY, SELF HEALING NETWORKS, EXTENSIBILITY THAT
01:29:13 20 ALLOWS NETWORKS TO BE PROGRAMMED.

01:29:16 21 Q. GREAT. THANK YOU.

01:29:17 22 I WANT TO TALK A LITTLE BIT ABOUT REGISTERED COPYRIGHTS
01:29:19 23 THAT ARE AT ISSUE HERE. DOES CISCO HAVE REGISTERED COPYRIGHTS
01:29:23 24 ON THE USER INTERFACE FOR ITS OPERATING SYSTEM?

01:29:25 25 A. YES. OUR COPYRIGHTS ON OUR OPERATING SYSTEMS INCLUDE THE

01:29:31 1
01:29:32 2
01:29:34 3
01:29:46 4
01:29:51 5
01:30:01 6
01:30:02 7
01:30:03 8
01:30:07 9
01:30:10 10
01:30:12 11
01:30:15 12
01:30:17 13
01:30:20 14
01:30:22 15
01:30:23 16
01:30:25 17
01:30:25 18
01:30:27 19
01:30:31 20
01:30:37 21
01:30:41 22
01:30:45 23
01:30:53 24
01:30:57 25

USER INTERFACE.

Q. AND WHAT OPERATING SYSTEMS ARE THOSE?

A. THOSE ARE IOS, IOS XR, IOS XE, AND NX-OS.

Q. MR. LANG, IF YOU CAN TURN TO EXHIBIT 4791 IN YOUR BINDER,
PLEASE. DO YOU RECOGNIZE EXHIBIT 4791?

A. YES, I DO.

Q. WHAT IS IT?

A. SO THESE ARE THE REGISTRATIONS FOR COPYRIGHTS IN OUR
OPERATING SYSTEMS, AND THEIR ASSOCIATED USER INTERFACES.

Q. AND ARE THESE KEPT IN YOUR LEGAL DEPARTMENT?

A. YES, THEY ARE KEPT WITHIN THE LEGAL DEPARTMENT WITHIN
WHICH I AM A VICE PRESIDENT.

MR. JAFFE: YOUR HONOR, I SEEK TO MOVE EXHIBIT 4791
INTO EVIDENCE.

MR. SILBERT: NO OBJECTION.

THE COURT: IT WILL BE ADMITTED.

(PLAINTIFF'S EXHIBIT 4791 WAS ADMITTED INTO EVIDENCE.)

BY MR. JAFFE:

Q. MR. LANG, CAN YOU EXPLAIN TO THE JURY HOW EXHIBIT 4791 IS
ORGANIZED?

A. SURE. IT'S ORGANIZED BY OPERATING SYSTEM. SO THE
REGISTRATION FOR VARIOUS VERSIONS OF THE SAME OPERATING SYSTEM
ARE GROUPED TOGETHER, IOS, IOS XR, IOS XE, AND NX-OS.

Q. AND AGAIN, FOR THIS EXHIBIT, HOW MANY REGISTERED
COPYRIGHTS ARE INCLUDED?

01:30:59 1
01:31:00 2
01:31:05 3
01:31:08 4
01:31:09 5
01:31:13 6
01:31:14 7
01:31:19 8
01:31:21 9
01:31:24 10
01:31:24 11
01:31:32 12
01:31:32 13
01:31:33 14
01:31:36 15
01:31:40 16
01:31:43 17
01:31:45 18
01:31:47 19
01:31:52 20
01:31:55 21
01:31:58 22
01:32:02 23
01:32:05 24
01:32:08 25

A. 26.

Q. OKAY. AND YOU'VE MENTIONED FOUR OPERATING SYSTEMS AND 26 REGISTERED COPYRIGHTS, WHY ARE THERE 26 COPYRIGHTS FOR FOUR OPERATING SYSTEMS?

A. BECAUSE WE'VE COPYRIGHTED INDIVIDUALLY, VARIOUS VERSIONS OF THE SAME OPERATING SYSTEM.

Q. AND ARE YOU PERSONALLY FAMILIAR WITH HOW CISCO NUMBERS ITS OPERATING SYSTEM VERSIONS?

A. YES. I THINK IT'S PRETTY CONVENTIONAL WITHIN THE SOFTWARE INDUSTRY.

Q. SO FOR EXAMPLE, FOR IOS XR, 5.1.X WOULD BE BEFORE 5.2; IS THAT RIGHT?

A. RIGHT, RIGHT.

AND I THINK THAT'S THE WAY WE DO IT AND IT'S THE WAY LOTS OF PEOPLE DO IS IT. WE ALL HAVE SMARTPHONES WHERE WE ARE CONTINUALLY GETTING NEW UPDATES OF THE OPERATING SYSTEM, IT'S A VERY SIMILAR NUMBERING SCHEME.

Q. SO YOU MENTIONED NEW UPDATES IN THE OPERATING SYSTEM.

DOES THAT MEAN -- DOES CISCO INCLUDE OLDER MATERIAL FROM OLDER OPERATING SYSTEMS WHEN IT REGISTERS NEW VERSIONS?

A. YES, THINGS LIKE THE HELP SCREENS AND THE COMMAND HIERARCHIES ARE SWEEPED ALONG AND INCLUDED IN LATER VERSIONS.

Q. SO RETURNING TO THE 26 COPYRIGHT REGISTRATIONS, WHO GRANTED THESE COPYRIGHT REGISTRATIONS TO CISCO?

A. SO THEY ARE GRANTED BY THE COPYRIGHT OFFICE, AND THAT'S

01:32:11 1 WITHIN THE LIBRARY OF CONGRESS, THAT'S WHO ISSUES COPYRIGHT
01:32:13 2 REGISTRATIONS IN OUR COUNTRY.

01:32:15 3 Q. WHO OWNS THE 26 REGISTERED COPYRIGHTS FOR IOS, IOS XR, IOS
01:32:21 4 XE AND NX-OS?

01:32:22 5 A. MY COMPANY, CISCO SYSTEMS, THE PLAINTIFF IN THIS LAWSUIT.

01:32:25 6 Q. NOW, LOOKING AGAIN AT EXHIBITS 4791, WHICH COPYRIGHT
01:32:30 7 REGISTRATION IS ON THE FIRST PAGE THAT WE ARE LOOKING AT?

01:32:34 8 A. SO IT'S THE ONE FOR IOS, THAT PARTICULAR OPERATING SYSTEM,
01:32:39 9 VERSION 11.0.

01:32:41 10 Q. CAN YOU PLEASE EXPLAIN TO THE JURY WHAT SOME OF WHAT WE
01:32:44 11 ARE SEEING HERE ON THIS FIRST PAGE IS?

01:32:46 12 A. SURE.

01:32:46 13 SO IN THE UPPER LEFT YOU SEE THE OFFICIAL SEAL OF THE
01:32:50 14 COPYRIGHT OFFICE WITHIN THE LIBRARY OF CONGRESS. YOU SEE AN
01:32:54 15 OFFICIAL SIGNATURE OF THE REGISTRAR OF COPYRIGHTS, THE PERSON
01:32:58 16 WHO IS RESPONSIBLE OF THIS PROCESS OF REGISTRATION.

01:33:00 17 AND IN THE UPPER RIGHT YOU SEE A TX NUMBER, IT'S A
01:33:04 18 REGISTRATION NUMBER THAT THEY ASSIGN. AND THEN BELOW THAT YOU
01:33:08 19 SEE A DATE OF REGISTRATION. AND THAT'S JUNE 14, 2002, HERE.

01:33:13 20 Q. DO EACH OF THE OTHER REGISTERED COPYRIGHTS INCLUDED IN
01:33:18 21 EXHIBIT 4791 INCLUDE THE SAME INFORMATION THAT YOU WERE JUST
01:33:20 22 TALKING ABOUT?

01:33:20 23 A. YES, THEY ARE ALL VERY SIMILAR.

01:33:23 24 Q. OKAY. WHAT DID CISCO SUBMIT TO THE LIBRARY OF CONGRESS
01:33:26 25 WHEN IT APPLIED FOR THESE REGISTERED COPYRIGHTS?

01:33:28 1 A. WELL, IT'S QUITE A BIT OF MATERIAL. IT'S A COPYRIGHT
01:33:33 2 APPLICATION, WHICH IS ESSENTIALLY THE KIND OF DOCUMENT YOU ARE
01:33:35 3 LOOKING AT BUT WITHOUT THE REGISTRATION THAT WAS ADDED TO IT BY
01:33:38 4 THE COPYRIGHT OFFICE.

01:33:40 5 BUT THEN ALONG WITH IT, WE SEND A LOT OF THINGS. WE SENT
01:33:45 6 EXCERPTS OF THE SOURCE CODE, WE SENT A LINK THAT THE COPYRIGHT
01:33:48 7 OFFICE CAN USE TO ACCESS THE ENTIRE SOURCE CODE, IF THEY WISH,
01:33:51 8 AND WE ALSO SENT LOTS OF DIFFERENT ITEMS OF DOCUMENTATION THAT
01:33:55 9 COME WITH THE OPERATING SYSTEM THAT WERE WE ARE ALSO
01:33:58 10 REGISTERING.

01:33:59 11 Q. CAN YOU PLEASE TURN TO EXHIBIT 4803 IN YOUR WITNESS
01:34:03 12 BINDER.

01:34:03 13 A. SURE.

01:34:04 14 Q. DO YOU RECOGNIZE EXHIBIT 4803?

01:34:10 15 A. YES. THESE ARE THE MATERIALS THEMSELVES THAT WERE SENT TO
01:34:16 16 THE COPYRIGHT OFFICE, ALONG WITH AN INDEX TO THEM.

01:34:21 17 Q. AND IS THERE A DEPARTMENT AT CISCO THAT MAINTAINS THESE
01:34:25 18 DOCUMENTS?

01:34:25 19 A. YES. THEY ARE MAINTAINED WITHIN THE LEGAL DEPARTMENT. WE
01:34:28 20 KEEP TRACK OF WHAT WE'VE SENT AND MAINTAIN COPIES.

01:34:31 21 Q. SO IS EXHIBIT 4803 TRUE AND CORRECT COPIES OF THE
01:34:35 22 MATERIALS THAT WERE SUBMITTED WITH THE REGISTERED COPYRIGHTS
01:34:37 23 THAT WE JUST DISCUSSED?

01:34:38 24 A. YES, IT IS.

01:34:39 25 Q. OKAY.

01:34:41 1 MR. JAFFE: YOUR HONOR, I SEEK TO MOVE INTO EVIDENCE
01:34:43 2 EXHIBIT 4803.
01:34:44 3 MR. SILBERT: NO OBJECTION.
01:34:45 4 THE COURT: IT WILL BE ADMITTED.
01:34:47 5 (PLAINTIFF'S EXHIBIT 4803, WAS ADMITTED INTO EVIDENCE.)
01:34:47 6 BY MR. JAFFE:
01:34:48 7 Q. IF WE CAN SHOW THE FIRST PAGE OF EXHIBIT 4803, MR. FISHER.
01:34:52 8 THANK YOU.
01:34:53 9 MR. LANG, CAN YOU PLEASE EXPLAIN WHAT WE ARE LOOKING AT
01:34:55 10 HERE ON EXHIBIT 4803?
01:34:58 11 A. SURE. SO THIS IS THE INDEX THAT TELLS US WHAT'S IN THIS
01:35:01 12 EXHIBIT THAT THE VARIOUS ITEMS THAT WERE SENT TO THE COPYRIGHT
01:35:04 13 OFFICE AND WHERE YOU CAN FIND EACH ITEM.
01:35:08 14 FOR EACH OPERATING SYSTEM IN EACH VERSION, THERE'S A TABLE
01:35:11 15 THAT LISTS THE ITEMS AND GIVES SOME POINTERS FOR FINDING IT.
01:35:15 16 Q. ALL RIGHT. I WANT TO CHANGE TOPICS A LITTLE BIT.
01:35:23 17 HAS CISCO HAD TO PROTECT ITS INNOVATIONS FROM COPYING IN
01:35:27 18 THE PAST?
01:35:27 19 A. YES, WE HAVE. IN 2003 WE LEARNED THAT THE -- OR HAD
01:35:33 20 LEARNED THAT HUAWEI, WHICH IS STILL TODAY, A LARGE CHINESE
01:35:38 21 MAKER OF INTERNET EQUIPMENT, HAD COPIED SOME OF OUR PRODUCTS.
01:35:43 22 IT COPIED THE COMMAND-LINE INTERFACE. THEY HAD COPIED
01:35:46 23 DOCUMENTATION, THEY ALSO COPIED SOURCE CODE. WE SUED THEM FOR
01:35:52 24 PATENT INFRINGEMENT AND COPYRIGHT INFRINGEMENT AND WERE
01:35:53 25 SUCCESSFUL IN STOPPING THEIR INFRINGEMENT.

01:44:05 1
01:44:06 2
01:44:33 3
01:44:37 4
01:44:42 5
01:44:49 6
01:44:50 7
01:44:53 8
01:44:57 9
01:44:57 10
01:45:02 11
01:45:04 12
01:45:08 13
01:45:12 14
01:45:13 15
01:45:19 16
01:45:25 17
01:45:27 18
01:45:33 19
01:45:34 20
01:45:40 21
01:45:44 22
01:45:45 23
01:45:47 24
01:45:53 25

BINDER OF EXHIBITS.

A. SURE.

Q. MR. LANG, IN THE HUAWEI CASE, CISCO ALLEGED THAT HUAWEI
HAD STOLEN IOS SOURCE CODE; IS THAT RIGHT?

A. YES, AND THAT THAT INCLUDED CLI, THERE WAS ALSO ASSOCIATED
DOCUMENTATION.

Q. YOU ARE SAYING THAT CISCO'S ALLEGATION THAT WAS HUAWEI
STOLE SOURCE CODE FOR THE CLI, THAT'S WHAT YOU WERE REFERRING
TO?

A. WELL, I'M REFERRING TO THAT, ALTHOUGH THEY COME TOGETHER,
THE CLI COMES WITH THE SOURCE CODE.

Q. CISCO ALLEGED IN THAT CASE THAT HUAWEI STOLE A LOT OF
SOURCE CODE, RIGHT?

A. I BELIEVE SO.

Q. OKAY. AND YOU BELIEVED THAT THE MISAPPROPRIATION OF A LOT
OF IOS SOURCE CODE BY HUAWEI MAY HAVE INHERENTLY LEAD TO THE
USE OF CISCO'S CLI, RIGHT?

A. YES. I NOTE THAT CHANGING THE CLI WAS A PART OF THE
RESOLUTION OF THE LAWSUIT.

Q. CISCO HAS GIVEN BRIEFINGS TO COMPANIES THAT WERE PEOPLE
THAT WERE PARTNERS WITH, ABOUT HUAWEI AND THE HUAWEI
LITIGATION, RIGHT?

A. I'M NOT DIRECTLY FAMILIAR WITH THAT.

Q. OKAY. WOULD YOU LOOK PLEASE AT EXHIBIT 5345, WHICH I HOPE
IS IN YOUR BINDER. DO YOU HAVE THAT EXHIBIT?

01:46:02 1

A. YES.

01:46:03 2

Q. AND YOU TESTIFIED AS A CORPORATE REPRESENTATIVE IN

01:46:07 3

DEPOSITION ON BEHALF OF CISCO WITH RESPECT TO CERTAIN TOPICS

01:46:10 4

ABOUT HUAWEI, THE HUAWEI LITIGATION, CORRECT?

01:46:13 5

A. YES, THAT'S CORRECT.

01:46:14 6

Q. AND DO YOU RECALL TESTIFYING ABOUT THIS DOCUMENT IN YOUR

01:46:17 7

DEPOSITION, I CAN DIRECT YOU TO THE, YOUR NAME ON THE EXHIBIT

01:46:21 8

STICKER ON THE FRONT.

01:46:23 9

A. YES, THE DOCUMENT APPEARS TO BE FAMILIAR.

01:46:26 10

THE COURT: WHAT WAS THAT EXHIBIT NUMBER?

01:46:28 11

MR. SILBERT: I'M SORRY, IT'S 5345.

01:46:31 12

THE COURT: THANK YOU. I GOT IT.

01:46:33 13

BY MR. SILBERT:

01:46:34 14

Q. AND THIS IS A CISCO PRESENTATION CONCERNING HUAWEI; IS

01:46:38 15

THAT RIGHT?

01:46:38 16

A. YES, IT APPEARS TO BE.

01:46:40 17

MR. SILBERT: YOUR HONOR, I OFFER EXHIBIT 5345 INTO

01:46:43 18

EVIDENCE.

01:46:44 19

MR. JAFFE: NO OBJECTION.

01:46:45 20

THE COURT: THANK YOU, IT WILL BE ADMITTED.

01:47:00 21

(DEFENDANT'S EXHIBIT 5345, WAS ADMITTED INTO EVIDENCE.)

01:47:01 22

BY MR. SILBERT:

01:47:01 23

Q. IF YOU LOOK AT THE FIRST PAGE OF THE EXHIBIT YOU SEE THE

01:47:03 24

TITLE IS HUAWEI ENTERPRISE BRIEFING FOR CISCO PARTNERS, RIGHT?

01:47:08 25

A. YES, I SEE THE TITLE.

01:53:00 1 COLUMN WAS, "COPY CLI FROM IOS." DO YOU SEE THAT?

01:53:05 2 A. I SEE THAT.

01:53:06 3 Q. CISCO NEVER SUED FOUNDRY FOR COPYING THE CLI, DID IT?

01:53:11 4 A. NO, I'M AWARE OF, FROM MY OWN INTERACTIONS WITH OUR

01:53:15 5 COMPETITIVE ANALYSIS TEAM, THAT NOW BROCADE'S USE OF THE CLI IS

01:53:23 6 NOT A COPYING OF OURS IN THE SAME WAY THAT ARISTA'S IS; THAT

01:53:27 7 ARISTA IS UNIQUE AMONG OUR TIER 1 COMPETITORS, THAT THEIR

01:53:31 8 OPERATING SYSTEM CAN BE USED BY SOMEONE TRAINED IN CISCO'S

01:53:35 9 OPERATING SYSTEM WITHOUT FURTHER TRAINING.

01:53:36 10 Q. SIR, YOU HAVE NO PERSONAL KNOWLEDGE OF WHAT YOU JUST

01:53:39 11 RECITED, DO YOU?

01:53:40 12 A. I LEARNED THAT INFORMATION FROM A COMPETITIVE ANALYSIS

01:53:44 13 EXPERT WITHIN OUR COMPANY.

01:53:45 14 MR. SILBERT: I MOVE TO STRIKE AS HEARSAY.

01:53:46 15 THE COURT: IT WILL BE STRICKEN. GRANTED.

01:53:51 16 BY MR. SILBERT:

01:53:51 17 Q. CISCO HAS NEVER SUED DELL FOR COPYING CISCO CLI, HAS IT?

01:53:54 18 A. NO.

01:53:54 19 Q. ARE YOU AWARE THAT DELL USES MORE THAN 1,000 MULTIWORD

01:53:59 20 COMMANDS THAT ARE THE SAME AS CISCO?

01:54:03 21 A. I DON'T KNOW THE EXACT NUMBER. I ONLY -- I'M ONLY AWARE

01:54:07 22 OF ARISTA'S UNIQUENESS AS A COMPETITOR.

01:54:12 23 Q. ARE YOU AWARE THAT DELL HAS POSTED A VIDEO ON ITS

01:54:15 24 CORPORATE YOUTUBE CHANNEL IN WHICH IT COMPARES ITS CLI TO

01:54:21 25 CISCO'S AND HIGHLIGHTS HOW SIMILAR THEY ARE?

01:54:23 1 A. I'M NOT AWARE OF THAT VIDEO.

01:54:25 2 Q. OKAY. YOU'VE HEARD OF BLADE NETWORK TECHNOLOGIES?

01:54:30 3 A. YES, I'VE HEARD OF THEM.

01:54:32 4 Q. YOU KNOW THAT BLADE OFFERED A CLI THAT IT CALLED THE

01:54:35 5 IS-CLI OR INDUSTRY STANDARD CLI, ON ITS ETHERNET SWITCHES?

01:54:39 6 A. NO, AND I WOULDN'T KNOW WHAT THEY MEAN BY THAT.

01:54:42 7 Q. OKAY. DO YOU KNOW THAT BLADE WAS ACQUIRED BY IBM AT SOME

01:54:47 8 POINT?

01:54:47 9 A. I -- I NEVER KNEW THAT OR HAVE FORGOTTEN.

01:54:51 10 Q. OKAY. CISCO NEVER SUED IBM FOR USE OF CLI COMMANDS THAT

01:54:54 11 ARE THE SAME AS CISCO'S, DID IT?

01:54:56 12 A. NO.

01:54:57 13 Q. CISCO NEVER SUED BLADE FOR USE OF CLI COMMANDS THAT ARE

01:55:00 14 THE SAME AS CISCO'S, CORRECT?

01:55:02 15 A. NO.

01:55:04 16 Q. CISCO NEVER SUED HEWLETT-PACKARD FOR THE USE OF CLI

01:55:10 17 COMMANDS THAT ARE THE SAME AS CISCO'S, HAS IT?

01:55:12 18 A. NO. BUT AGAIN, I CONTEST THAT THEIR SIMILARITIES IS THE

01:55:17 19 SAME AS WHAT WE ARE DEALING WITH HERE.

01:55:19 20 Q. EXCUSE ME.

01:55:20 21 BUT AGAIN, YOU HAVE NO PERSONAL KNOWLEDGE OF WHAT YOU JUST

01:55:23 22 STATED; IS THAT RIGHT?

01:55:24 23 A. I HAVE THE KNOWLEDGE I INDICATED EARLIER.

01:55:26 24 MR. SILBERT: I MOVE TO STRIKE AGAIN.

01:55:28 25 THE COURT: SUSTAINED. I WILL STRIKE THE LAST

02:00:51 1
02:00:54 2
02:00:59 3
02:01:03 4
02:01:05 5
02:01:06 6
02:01:07 7
02:01:11 8
02:01:17 9
02:01:20 10
02:01:23 11
02:01:24 12
02:01:27 13
02:01:30 14
02:01:35 15
02:01:39 16
02:01:40 17
02:01:43 18
02:01:47 19
02:01:49 20
02:01:51 21
02:01:54 22
02:01:59 23
02:02:00 24
02:02:03 25

[REDACTED]

02:02:09 1

[REDACTED]

02:02:13 2

[REDACTED]

02:02:18 3

[REDACTED]

02:02:22 4

[REDACTED]

02:02:23 5

[REDACTED]

[REDACTED]

02:02:26 6

[REDACTED]

[REDACTED]

02:02:29 7

[REDACTED]

02:02:34 8

[REDACTED]

02:02:38 9

[REDACTED]

[REDACTED]

02:02:41 10

[REDACTED]

[REDACTED]

02:02:45 11

[REDACTED]

02:02:46 12

[REDACTED]

[REDACTED]

02:02:49 13

[REDACTED]

02:02:52 14

[REDACTED]

[REDACTED]

02:02:55 15

[REDACTED]

[REDACTED]

02:02:58 16

[REDACTED]

02:02:58 17

Q. WELL, YOU OVERSEE A SECTION OF THE LEGAL DEPARTMENT AT

02:03:02 18

CISCO, RIGHT?

02:03:03 19

A. YES, I DO.

02:03:04 20

Q. AND THAT -- AND SPECIFICALLY THE SECTION OF THE LEGAL

02:03:07 21

DEPARTMENT THAT'S INVOLVED WITH INTELLECTUAL PROPERTY, RIGHT?

02:03:09 22

A. YES.

02:03:10 23

Q. AND THAT WOULD INCLUDE THE PORTION OF THE LEGAL DEPARTMENT

02:03:14 24

THAT WOULD HAVE NEGOTIATED AND DRAFTED A SETTLEMENT AGREEMENT

02:03:17 25

WITH HUAWEI ABOUT INTELLECTUAL PROPERTY CLAIMS, RIGHT?

02:03:20 1 A. RIGHT. THIS AGREEMENT WAS NEGOTIATED BY MY PREDECESSORS.

02:03:24 2 Q. OKAY. BUT YOU CERTAINLY ARE KNOWLEDGEABLE ABOUT DRAFTING

02:03:28 3 THE INTELLECTUAL PROPERTY AGREEMENTS, RIGHT?

02:03:31 4 A. YES, I MEAN, PRIMARILY I'VE WORKED ON PATENT AGREEMENTS,

02:03:34 5 BUT YES.

02:03:35 6 [REDACTED]

02:03:38 7 [REDACTED]

02:03:42 8 [REDACTED]

02:03:45 9 [REDACTED]

02:03:50 10 [REDACTED]

02:03:53 11 [REDACTED]

02:03:59 12 [REDACTED]

02:04:02 13 [REDACTED]

02:04:04 14 [REDACTED]

02:04:05 15 [REDACTED]

02:04:09 16 [REDACTED]

02:04:15 17 [REDACTED]

02:04:19 18 [REDACTED]

02:04:22 19 [REDACTED]

02:04:27 20 [REDACTED]

02:04:28 21 [REDACTED]

02:04:31 22 [REDACTED]

02:04:33 23 [REDACTED]

02:04:35 24 [REDACTED]

02:04:37 25 [REDACTED]

02:04:39 1

[REDACTED]

02:04:42 2

[REDACTED]

02:04:46 3

[REDACTED]

02:04:49 4

Q. BEFORE CISCO SUED HUAWEI, IT CONTACTED HUAWEI TO DISCUSS

02:05:03 5

THE CONCERNS THAT CISCO HAD ABOUT HUAWEI'S APPARENT USE OF

02:05:07 6

CISCO'S INTELLECTUAL PROPERTY, RIGHT?

02:05:09 7

A. I ACTUALLY AM GENERALLY AWARE OF THAT BEING TRUE, I'M NOT

02:05:14 8

UP ON THE DETAILS.

02:05:15 9

Q. DO YOU KNOW THAT HIGH RANKING CISCO EXECUTIVES ACTUALLY

02:05:20 10

FLEW TO CHINA TO HAVE MEETINGS WITH HUAWEI ON SEVERAL DIFFERENT

02:05:26 11

OCCASIONS BEFORE FILING ANY LAWSUIT?

02:05:29 12

A. YEAH, I WAS NOT WORKING AT CISCO AT THE TIME, AND I DON'T

02:05:32 13

KNOW THE SPECIFICS OF THAT.

02:05:34 14

Q. OKAY. LET'S MOVE TO CISCO AND STANFORD.

02:05:41 15

SO IN 1986, IN THE SUMMER OF 1986, STANFORD SENT A LETTER

02:05:50 16

TO CISCO ALLEGING THAT CISCO HAD MISAPPROPRIATED INTELLECTUAL

02:05:57 17

PROPERTY BELONGING TO STANFORD, RIGHT?

02:06:01 18

A. I RECALL SEEING A LETTER ON THE TOPIC, BUT I DON'T

02:06:04 19

REMEMBER THE DETAILS.

02:06:05 20

Q. WOULD YOU LOOK PLEASE AT EXHIBIT 5195. THAT'S THE LETTER

02:06:20 21

THAT STANFORD SENT, RIGHT?

02:06:26 22

A. YES, IT APPEARS TO BE.

02:06:34 23

MR. SILBERT: AND YOUR HONOR, I OFFER EXHIBIT 5195.

02:06:37 24

MR. JAFFE: NO OBJECTION.

02:06:37 25

THE COURT: IT WILL BE ADMITTED.

02:12:56 1 COULD LOOK AT MORE SOURCE CODE IF APPROXIMATE THEY WANTED TO;
02:12:59 2 IS THAT RIGHT?

02:12:59 3 A. THERE WAS AN EXCERPT, BUT I DON'T RECALL TESTIFYING TO A
02:13:02 4 NUMBER OF PAGES, BUT AN EXCERPT WAS SENT, AND THEN A LINK WAS
02:13:06 5 ALSO SENT.

02:13:06 6 Q. OKAY. AND ANOTHER SUBJECT OR ANOTHER CATEGORY COVERED BY
02:13:12 7 THOSE REGISTRATIONS ARE MANUALS, RIGHT, PRODUCT MANUALS?

02:13:18 8 A. RIGHT.

02:13:18 9 Q. AND DO YOU KNOW THE VOLUME OF JUST THE PRODUCT MANUALS
02:13:23 10 THAT ARE COVERED BY THE REGISTRATIONS THAT YOU TESTIFIED ABOUT?

02:13:27 11 A. I DON'T BUT I ASSUME IT'S QUITE LARGE.

02:13:29 12 Q. DO YOU KNOW THAT IT EXCEEDS 600,000 PAGES OF MANUALS?

02:13:34 13 A. I DON'T KNOW THE NUMBER.

02:13:37 14 Q. OKAY. WOULD YOU LOOK, PLEASE, AT EXHIBIT 4791 WHICH IS
02:13:43 15 THE COMPILATION OF REGISTRATIONS WHICH IS IN EVIDENCE.

02:13:55 16 IF YOU ARE LOOKING ON THE FIRST PAGE, THIS IS FOR CISCO
02:13:58 17 IOS VERSION 11.0, RIGHT?

02:14:01 18 A. YES.

02:14:02 19 Q. AND IF YOU LOOK ON KIND OF THE TOP -- RIGHT YOU SEE THAT
02:14:05 20 THIS WAS, THE EFFECTIVE DATE OF THE REGISTRATION IS JUNE 14,
02:14:10 21 2002?

02:14:10 22 A. YES.

02:14:12 23 Q. AND IF YOU SCROLL A LITTLE BIT DOWN YOU WILL SEE THAT THE
02:14:15 24 WORK WAS DONE IN 1985 THERE IN SECTION 3-A -- EXCUSE ME, 1995.
02:14:24 25 THE WORK WAS COMPLETED IN 1995?

02:18:38 1 MR. NELSON: THEN THERE'S ALSO THE STIPULATION THAT I
02:18:40 2 WOULD LIKE TO READ.

02:18:40 3 THE COURT: OKAY, LET'S GET DR. ALMEROTH SWORN SO HE
02:18:44 4 CAN SIT DOWN.

02:18:46 5 **(PLAINTIFF'S WITNESS, KEVIN ALMEROTH, WAS SWORN.)**

02:18:48 6 THE WITNESS: YES, MA'AM, I DO.

02:18:51 7 THE CLERK: THANK YOU, SIR.

02:18:59 8 MR. NELSON: CAN I READ THE STIPULATION FIRST?

02:19:01 9 THE COURT: ABSOLUTELY.

02:19:02 10 MR. NELSON: OKAY.

02:19:10 11 SO SOMETIMES THE LAWYERS AGREE TO FACTS IN A CASE, SO I'M
02:19:14 12 JUST GOING TO READ TO YOU AN AGREEMENT THAT WE MADE HERE, AND I
02:19:18 13 WILL TRY TO READ IT SLOWLY SO THAT YOU -- AND WE CAN GET IT IN
02:19:22 14 THE RECORD.

02:19:23 15 SO ON FEBRUARY 13TH, 2015, ARISTA FILED AN ANSWER TO
02:19:29 16 CISCO'S ORIGINAL COMPLAINT THAT ADMITTED THAT ARISTA USES THE
02:19:35 17 508 IOS COMMAND EXPRESSIONS INCLUDED IN EXHIBIT 1 TO CISCO'S
02:19:41 18 COMPLAINT.

02:19:44 19 ON AUGUST 10TH, 2015, ARISTA FILED AN ANSWER TO CISCO'S
02:19:50 20 SECOND AMENDED COMPLAINT THAT DENIES THAT ARISTA USES THE 508
02:19:56 21 IOS COMMAND EXPRESSIONS INCLUDED IN EXHIBIT 1 TO CISCO'S SECOND
02:20:01 22 AMENDED COMPLAINT.

02:20:04 23 AND EXHIBIT 1 CONTAINS TWO COMMANDS NAMED "TERMINAL
02:20:11 24 LENGTH" AND "SHOW USER" THAT CISCO HAS WITHDRAWN FROM THE LIST.

02:20:18 25 THAT EXHIBIT 1 TO THE COMPLAINT, SO THAT WE CAN IDENTIFY

02:20:21 1 IT FOR THE CASE, IS ACTUALLY GOING TO BE MARKED FOR YOU AND
02:20:25 2 ADMITTED AS TRIAL EXHIBIT 4821.

02:20:35 3 THE COURT: AND WOULD YOU LIKE TO MOVE THAT EXHIBIT
02:20:37 4 INTO EVIDENCE NOW SO WE DON'T FORGET?

02:20:39 5 MR. NELSON: THAT'S A VERY GOOD POINT, YOUR HONOR.

02:20:41 6 AND AT THIS POINT I WOULD LIKE TO MOVE EXHIBIT 4821 INTO
02:20:45 7 EVIDENCE, YOUR HONOR.

02:20:45 8 THE COURT: NO OBJECTION?

02:20:47 9 MR. VAN NEST: NO OBJECTION, YOUR HONOR.

02:20:48 10 THE COURT: IT WILL BE ADMITTED.

02:20:50 11 (PLAINTIFF'S EXHIBIT 4821 WAS ADMITTED INTO EVIDENCE.)

02:20:50 12 MR. NELSON: AND WE WILL HAVE THAT PREPARED.

02:20:52 13 THE COURT: THAT WOULD BE FINE, THANK YOU.

02:20:54 14 MR. NELSON: OKAY. THANK YOU.

02:21:55 15 THE COURT: OKAY. AND YOU MAY BEGIN.

02:22:01 16 MR. NELSON: THANK YOU, YOUR HONOR.

02:22:02 17 **DIRECT EXAMINATION**

02:22:02 18 BY MR. NELSON:

02:22:06 19 Q. GOOD AFTERNOON, DR. ALMEROOTH.

02:22:07 20 A. GOOD AFTERNOON.

02:22:08 21 Q. COULD YOU GO AHEAD AND PLEASE INTRODUCE YOURSELF TO THE
02:22:10 22 JURY?

02:22:10 23 A. SURE. MY NAME IS KEVIN ALMEROOTH. I'M A PROFESSOR IN THE
02:22:15 24 DEPARTMENT OF COMPUTER SCIENCE AT UC SANTA BARBARA. I HAVE
02:22:19 25 BEEN THERE SINCE 1997 WHEN I GRADUATED WITH A PHD FROM GEORGIA

02:47:17 1 IN THE COURTROOM ALL WEEK.

02:47:18 2 AND THAT IS THAT FROM THE EARLY 80'S, EVEN ACTUALLY FROM
02:47:22 3 THE LATE 60'S WHEN THE ORIGINAL INTERNET FIRST STARTED WITH
02:47:25 4 FOUR NODES, ONE OF WHICH BEING FROM UCSB, THE INTERNET GREW
02:47:32 5 INTO WHAT'S SHOWN IN THIS PICTURE TODAY.

02:47:34 6 AND WHAT'S SHOWN IN THIS PICTURE IS DIFFERENT COLORS FOR
02:47:37 7 DIFFERENT NETWORKS. AND THEY ALL CONNECT TOGETHER. SO NOW WE
02:47:41 8 HAVE MILLIONS OF ROUTERS AND SWITCHES. THEY SERVE THE FUNCTION
02:47:44 9 OF RECEIVING DATA IN PACKETS AND ROUTING THEM TO THEIR
02:47:50 10 DESTINATION.

02:47:51 11 SO IF YOU ARE LOOKING AT A WEBSITE ON YOUR COMPUTER OR
02:47:56 12 YOUR PHONE IT'S DATA THAT COMES THROUGH THE SERVER AND IS
02:47:59 13 ROUTED THROUGH THE INTERNET SWITCHES AND NETWORKS.

02:48:02 14 SO JUST LIKE THE PHONE NETWORK WHERE YOU CAN HAVE AN AT&T
02:48:06 15 PHONE AND YOU CAN CALL SOMEBODY ON VERIZON SO YOU CAN GO FROM
02:48:09 16 ONE NETWORK TO ANOTHER NETWORK. THE SAME THINGS HAPPENS IN THE
02:48:13 17 INTERNET AND THAT'S WHY THERE ARE DIFFERENT COLORED NETWORKS
02:48:13 18 OWNED BY DIFFERENT PROVIDERS.

02:48:17 19 AND YOU USE THE PROTOCOLS ON THE INTERNET THAT OPERATE ON
02:48:20 20 SWITCHES AND ROUTERS TO MAKE SURE THAT COMMUNICATION TAKES
02:48:23 21 PLACE RELIABLY AND EFFICIENTLY AND QUICKLY.

02:48:24 22 Q. SO WE'VE HEARD A FAIR AMOUNT OF LAST FEW DAYS WITH
02:48:27 23 SWITCHES. WHERE DO THOSE FIT INTO THIS PICTURE?

02:48:31 24 A. THE SWITCHES AND ROUTERS BOTH FIT IN, IN KIND OF THE
02:48:35 25 CROSSROADS WHERE MULTIPLE PROVIDERS WILL COME TOGETHER OR

02:54:33 1
02:54:34 2
02:54:39 3
02:54:40 4
02:54:44 5
02:54:49 6
02:54:52 7
02:54:56 8
02:54:58 9
02:55:03 10
02:55:07 11
02:55:12 12
02:55:18 13
02:55:24 14
02:55:29 15
02:55:33 16
02:55:37 17
02:55:40 18
02:55:43 19
02:55:45 20
02:55:47 21
02:55:52 22
02:55:55 23
02:56:00 24
02:56:07 25

THE PUBLIC.

Q. NOW LET'S GO TO THE FIRST ELEMENT YOU TALKED ABOUT,
MULTIWORD COMMANDS.

SO CAN YOU JUST EXPLAIN TO US WHAT MULTIWORD COMMANDS ARE
IN CISCO'S CLI USER INTERFACE?

A. SURE. IN TERMS OF THE WORDS MULTIWORD COMMAND, IT'S
PRETTY STRAIGHTFORWARD. IT'S A COMMAND OR AN INSTRUCTION
THAT'S COMPOSED OF MULTIPLE WORDS.

AS PART OF THIS DEMONSTRATIVE, THERE'S AN ANIMATION, OR
ACTUALLY I DON'T THINK WE ARE QUITE THERE YET, BUT WHAT YOU
HAVE IS YOU CAN TYPE IN A COMMAND, SO FOR EXAMPLE, THIS ONE IS
SPANNING-TREE, PORTFAST, BPDU FILTER DEFAULT. AND THE USER CAN
TYPE THAT. HIT ENTER, AND THEN IT'S SENT TO THE CISCO SWITCH
AND ROUTER, AND THEN USUALLY A RESPONSE COMES BACK.

IN SOME CASES, THE RESPONSE IS A CONFIGURATION EITHER THAT
IT'S ACCEPTED, WHICH MEANS YOU DON'T GET ANY OUTPUT, OR THAT
THERE MIGHT BE AN ERROR OR SOMETHING LIKE THAT.

IN OTHER CASES, THERE'S INFORMATION THAT'S RETURNED AS A
RESULT OF THE REQUEST.

BUT THE KEY REALLY IS YOU HAVE THIS PROMPT, YOU CAN TYPE
IN CHARACTERS THAT REPRESENT MULTIPLE WORDS, IT'S A COMMAND OR
AN INSTRUCTION, AND THAT CAN BE SENT TO THE SWITCH OR ROUTER.

Q. SO THE COMMAND THAT YOU ARE ILLUSTRATING HERE IS
SPANNING-TREE, PORTFAST, BPDU FILTER DEFAULT; DO YOU SEE THAT?

A. YES.

02:56:07 1 Q. IS THAT ONE OF THE COMMANDS IN THE CASE?

02:56:09 2 A. IT IS.

02:56:12 3 Q. NOW FROM YOUR ANALYSIS, HOW MANY COMMANDS DID YOU,
02:56:16 4 MULTIWORD COMMANDS WE ARE TALKING ABOUT NOW, DID YOU DETERMINE
02:56:19 5 WERE COPIED BY ARISTA?

02:56:22 6 A. 506.

02:56:24 7 Q. SO HERE ON SLIDE 11, CAN YOU TELL ME WHAT'S BEING SHOWN
02:56:30 8 HERE?

02:56:31 9 A. SURE. THIS IS KIND OF A WORD SALAD OF ALL OF THE
02:56:35 10 DIFFERENT 506 COMMANDS.

02:56:37 11 IT'S OBVIOUSLY VERY BUSY. I WON'T TRY AND READ THESE.
02:56:41 12 BUT IT GIVES YOU A SENSE OF THE TYPES OF COMMANDS, THE VARIETY
02:56:49 13 IN THE WORDS THAT ARE BEING USED.

02:56:51 14 AND THERE'S ALSO SOMETHING HERE WHERE THERE'S COLOR
02:56:54 15 CODING, AND THE COLOR CODING DEMONSTRATES WHAT'S KIND OF THIS
02:56:58 16 CONCEPT OF A HIERARCHY.

02:57:00 17 I WILL STOP.

02:57:02 18 Q. SO ARE THERE ANY OF THE COMMANDS THAT YOU'RE AWARE OF THAT
02:57:05 19 YOU LOOKED AT THAT ARE FOUR OR MORE WORDS?

02:57:08 20 A. YES, IN FACT THERE'S ONE RIGHT HERE, AREA NSSA
02:57:15 21 DEFAULT-INFORMATION-ORIGINATE. THERE'S ALSO AREA NSSA
02:57:22 22 TRANSLATE TYPE 7 ALWAYS. THERE CLEARLY ARE MANY COMMANDS HERE
02:57:29 23 THAT ARE FOUR WORDS OR MORE.

02:57:31 24 Q. NOW, YOU JUST MENTIONED THAT THE COLOR CODING, IT SHOWS A
02:57:38 25 HIERARCHY OF THE COMMANDS. CAN YOU EXPLAIN WHAT YOU MEAN BY

02:57:42 1 THAT?

02:57:42 2 A. SURE. THIS NEXT DEMONSTRATIVE TAKES AWAY MANY OF THE
02:57:46 3 OTHER COLORS, SO NOW THERE'S JUST TWO, THERE'S RED AND GREEN.
02:57:51 4 AND THESE SHOW TWO HIERARCHIES.

02:57:53 5 AND WHAT THE HIERARCHIES ARE IS IT'S AN ORGANIZATION OF
02:57:57 6 THE COMMANDS INTO A STRUCTURE SO THAT IT'S EASIER FOR AN
02:58:02 7 OPERATOR TO REMEMBER THEM. IT'S KIND OF A CATEGORIZATION.

02:58:06 8 AND THEY ARE CALLED HIERARCHIES OR TREES. AND THOSE TREES
02:58:11 9 USUALLY, THE WAY THAT THEY'RE REPRESENTED, IF YOU GO TO THE
02:58:15 10 NEXT SLIDE, IS AS THIS KIND OF TREE STRUCTURE, WHERE THE ROOT
02:58:22 11 IS THE FIRST WORD AND THEN THE NEXT WORD IS THE NEXT LEVEL IN
02:58:26 12 THE HIERARCHY.

02:58:26 13 AND THESE HELP AN OPERATOR CONCEPTUALLY REMEMBER THESE
02:58:30 14 KINDS OF COMMANDS.

02:58:32 15 SO THE HIGHLIGHTING ON THE PREVIOUS SCREEN OF RED AND
02:58:35 16 GREEN, SHOW THE "SHOW HIERARCHY", AND ALSO THE "IP HIERARCHY."
02:58:41 17 SO NOW IF WE ORGANIZE IT INTO THIS KIND OF TREE STRUCTURE,
02:58:48 18 "SHOW" AND "IP" ARE THE ROOTS OF TWO TREES, THEN THEY BRANCH
02:58:51 19 INTO THE DIFFERENT POSSIBILITIES FOR THE SUBSEQUENT WORDS.

02:58:54 20 SO FOR A COMMAND LIKE "SHOW IP ACCESS LISTS," YOU CAN SEE
02:58:58 21 IN THE LEFT THAT IT'S IN THE "SHOW HIERARCHY", THE SECOND LAYER
02:59:02 22 IS "IP," THEN THE THIRD IS "ACCESS LIST."

02:59:06 23 Q. SO DO THE HIERARCHIES YOU JUST DESCRIBED PLAY INTO ROLE IN
02:59:10 24 THE FORMATION OF THE AUTHORIZING OF THE COMMANDS THEMSELVES?

02:59:15 25 A. THEY DO. THEY DEMONSTRATE THE CREATIVITY THAT GOES INTO

02:59:20 1 DETERMINING THE WORD ORDER. THERE'S CREATIVITY IN HOW YOU
02:59:24 2 ORGANIZE THE WORDS AND HOW IT FITS INTO HIERARCHIES AND WHICH
02:59:30 3 HIERARCHY IS SELECTED. AND I WILL TALK A LITTLE BIT MORE ABOUT
02:59:35 4 THAT.

02:59:35 5 Q. NOW I WANT TO MOVE ON TO THE NEXT ELEMENT YOU LISTED WHICH
02:59:39 6 IS THE OUTPUTS.

02:59:40 7 CAN YOU EXPLAIN TO US WHAT THE OUTPUTS ARE IN THIS CASE?

02:59:43 8 A. SURE. THE OUTPUT HERE IS I THINK ALSO PRETTY
02:59:46 9 STRAIGHTFORWARD. WHEN YOU TYPE A COMMAND AT THE COMMAND LINE
02:59:52 10 INTERFACE, IT'S SENT TO THE SWITCH OR ROUTER AND THEN A
02:59:56 11 RESPONSE COMES BACK.

02:59:58 12 WHAT THE ANIMATION IS SHOWING. AND IN THIS CASE THE
03:00:01 13 COMMAND THAT'S TYPED IS SHOW SPANNING-TREE. AND THE RESULTS
03:00:05 14 THAT COME BACK, THEY ARE A LITTLE BIT HARD TO SEE, BUT EVEN IF
03:00:08 15 YOU COULD SEE THEM IN GREAT DETAIL, I'M NOT SURE YOU WOULD MAKE
03:00:12 16 A WHOLE LOT OF SENSE OF IT, BUT IT'S IN A FORMAT THAT'S
03:00:16 17 STRUCTURED SO THAT A PERSON CAN UNDERSTAND IT.

03:00:19 18 THERE'S CREATIVITY TO THE PROCESS AND WHAT INFORMATION IS
03:00:23 19 DISPLAYED, WHERE ON THE SCREEN IT GOES, I MEAN, REALLY YOU CAN
03:00:27 20 ORGANIZE THESE OUTPUTS HOWEVER YOU WANT.

03:00:29 21 Q. SO DO ALL COMMANDS HAVE OUTPUTS?

03:00:32 22 A. NO. THE COMMANDS THAT HAVE OUTPUTS ARE THE ONES WHERE
03:00:40 23 THERE'S USUALLY A REQUEST TO DISPLAY INFORMATION.

03:00:43 24 Q. SO I WANT TO MOVE ON TO THE NEXT ELEMENT THAT YOU TALKED
03:00:47 25 ABOUT WHICH IS -- WHICH ARE HELP DESCRIPTIONS.